

ANTHROPOLOGY

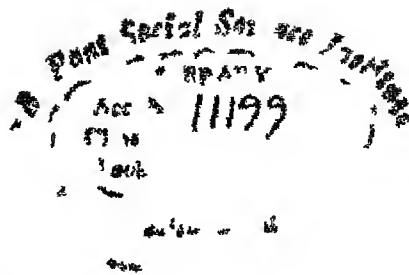
RELIGION OF ISLAM

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The Religion of Islām.

CHAPTER 1

THE SOURCES OR FOUNDATIONS OF ISLĀM

Islām (إسلام) ¹ the name applied by Muhammad himself to his religion means the religion of resignation, submission to the will, the service the commands of God

The sources* (أصول) from which the doctrines and precepts of Islām are derived or the foundations (أركان) on which they rest, are the following four

(1) the *Qur'ān* (القرآن) (2) the *Sunna* (السنة) (3), the *Ijma'* (الإجماع) (4), the *Qidas* (العياس)

¹ سلم (IV) to resign surrender submit oneself Inf إسلام—the act of resigning submitting oneself.—The professor of Islām is a Muslim (مسلمون pl مسلم) The true religion with God is Islām (Sūra iii 17) He who desires a religion other than Islām it will not be accepted of him (Sūra iii 78 79) In this sense Abraham and all the prophets down to Muhammad are considered to have been Muslims (Sūra iii. 60)

There are three terms used by Muslim writers to designate religion *دِين* used to designate religion, as it stands in relation to God as *دِينُ اللَّهِ* as it stands in relation to the prophet or law giver as *مَذْهَبٌ*, *مَذْهَبُ الرَّسُولِ*, *مَذْهَبُ إِبْرَاهِيمَ* as it stands in relation to the founders of the religious systems of Islam as *مَذْهَبُ أَبِي حَنِيفَةَ* (See Jowh. 12—14)

* These four sources of Islām are called the four proofs (الأدلة الأربعة) or the traditional proofs (الأدلة النقلية) transmitted by tradition in

The special branch¹ of theology, which treats of the interpretation of the principles of these four sources and of all the questions (مسائل) connected with the same is called أصول الفقه and *فقه أصول الدين* that is, علم الأصول science of the principles of dogmatics and science of the principles of fiqh, which means practical theology jurisprudence

The Qur'án,² the first foundation of Islām is the book which contains the revelations Muhammad professed to have received from time to time, chiefly through the mediation of the angel Gabriel, which he delivered as a divine message to those about him, and which is therefore, called the Word of God (كلام الله)

distinction from the proofs of reason (الأدلة العقلية) they are also called the proofs of (divine) Law (الأدلة الشرعية) The first two sources, Qur'án and Tradition are called the absolute infallible proofs (الأدلة القطعية), because they contain the absolutely true and undoubted fundamental doctrines of Islām, while the other two are called the secondary (الأدلة الاحتجاجية) i.e. obtained by exertion in searching and in reasoning by analogy The former are called the Roots (أصول) the latter the Branches (فرع), on account of their being derived from the roots and dependent on them.

¹ A very useful commentary on this branch of Muslim theology is the book of the learned Banām called حاشية العلامة البنانى على شرح الجلال على مجموع الجوامع للإمام ابن السككى

² The word Qur'án from قرأ to read, means the reading or rather that which is to be read, the lectionary It was used at first to designate a portion only of the Qur'án, a lesson to be read but was subsequently and is now used to designate the whole collection of the revelations of Muhammad (Sūra xcvi)

There are various other terms by which this collection of revelations is designated such as Furqán (الفرقان) from فرق to separate to distinguish

The Qur'an as we now have it, consists of one hundred and fourteen chapters of unequal length called Suras¹

because it distinguishes between truth and error or because it is divided into sections (Hebrew *Perek Pirka*=portion section of Scripture) *Al Kitáb* (الكتاب) the Book the Biblia Sacra of Muslims the *Mushaf* (المصحف) the Volume collection of sheets.

The learned Suyuti relates that when the Qur'an was collected into one book Abú Bakr requested his companions to call it by an appropriate name. Some proposed to call it *Sifr* (سفر) others *Mushaf* because the Abyssinians used to call their holy book by this name.

سورة (*Surat*) means a row or series of stones in a building, steps and also a line in books or letters applied to the chapters of the Qur'an each being as it were a distinct row or step in the building of the whole.

Another division of the Qur'an is that into thirty sections called *ajza* (أجزاء), made to enable Muslims to read the whole of the Qur'an during the thirty days of the fast of Ramadan. Each of these sections is subdivided into four parts called *arba'at* (أرباع). There are various other divisions besides. The number of words in the Qur'an is said to be 77,984 or 71,437.

These Suras have each a special title taken from a particular subject treated of in the same. Thus the second Sura is called the Sura of the Cow (*سورة البقرة*) the third the Sura of the family of Imran (*سورة آل عمران*). This is no doubt in imitation of the custom of the Jews. Suyuti mentions various traditions in support of Muhammad's having himself called certain Suras or portions of the Qur'an by the name which they now bear. The verses are called *ayat* (آيات) signs, miracles, as each verse is considered a divine miracle. Muhammad himself assured his adherents that it would be impossible for men and genii if they exerted themselves to the utmost to produce any thing like them (*Sura xvii 90*). The inimitability of the Qur'an is called the *icjar al-Quran* (عجز القرآن) its rendering any one incapable of producing anything like one of its verses. The Qur'an itself is therefore considered a sufficient proof of its divine origin and a standing miracle (*آية بآية*). For a complete list of the titles of the Suras see *Dictionary of Islam* by Hughes p. 490.

The last word of the verse is called *Faṣḥa* (فواصل) or *qawāsim* (قواميل) word (*حاملة الآية*). Suyuti says: "God has given to His Book

(سور pl سورة) These are divided into verses (آية pl آيات) Each of the Suras has a special title

Muhammad and the Muslim doctors after him assert that everything contained in the Qur'án rests on direct

the whole of it as well as its parts different names from what the Arabs used to give to their books, for He called His Book as a whole قرآن, while the Arabs called their books Diwan (ديوان) collection of poems) the larger portions which they called Qasida, (قصيدة) He called Súra and the smaller portions which they call Bait (أبيات pl بيت) he called Ayat (آية) the Fásila (فصلة) of the Qur'án corresponds to the Qafia (قافية), or rhyme of their poems

The style in which the Qur'án is written is a kind of rhyming prose (سجع) : the language having a final rhyme (قافيه) without being measured a style much in use in the time of Muhammad and liked by the Arabs and in which their soothsayers and poets (كهان pl كاهن) used to speak Some Muslim doctors however strongly object to the style of the Qur'án being called سجع or rhyming speech as they consider it improper to ascribe to God artificial language

The Qur'án is considered to be not only the source of the knowledge of true religion but of all knowledge and science in general It is looked up to as the standard of the Arabic language, grammar style logic and is said to contain the elements of innumerable other sciences. As to its excellency Muhammad says He who reads a letter or syllable of the Qur'án receives for it the recompense of a good action and this action is worth ten other good actions - The Qur'án contains a thousand times and twenty thousand letters he who reads it with the desire of receiving a reward from God and with patience will receive (in Paradise) a Hourí as wife. For further details see Itqán II 88 ff Ghazali Ihya I 168 Nöldeke Dictionary of Islam Muir the Qur'án

Each of the Suras except the ninth begins with the basmala (بسملة) or the words In the name of God the Merciful the Compassionate There are twenty nine Súras which have one or more letters of the alphabet prefixed to them They are considered to have some mysterious meaning which however only God and his Prophet know Thus Suras 2 3 29 30, 81 32 begin with ا ل م, Súra 13 with م ر ا Suras 10 11 12 14 15 with ا ل ر Súra 19 with ك ه ع ي For a curious explanation of this last set of letters, see Sell's Essays on Islam p 225 For a complete list and suppositions as to the meaning of the letters generally see

revelation from God, (وحي) communicated to His Prophet in a miraculous manner chiefly by the mediation of the Holy Ghost (الروح القدس) also called 'the faithful spirit' (الروح الأمين) by which is, however, meant, according to Muslim authorities, the Angel Gabriel Sûras (ii 91, xvi 104, xxvi 193)

The chief modes of this divine inspiration (مراتب الوحي) were, according to Suyûtî (Itqân i 55), the following

(1) By the mediation of an angel¹ coming to the Prophet, with a peculiar sound like the tinkling of bells (مثل صلصلة الجرس)

Itqân II 10-14 Sale p 42-43 Dictionary of Islâm, 517 518 Noldeke 215 Faith of Islâm p 64

¹ The Angel Gabriel on account of his being considered the chief mediator of inspiration is called the Angel of Inspiration ملك الوحي

Other learned doctors like Kastallânî the author of the famous biography of Muhammad—the كتاب المواقف اللدنية—enumerate the following modes such as

Dream vision (الرؤيا الصادقة حلم) inspiration of Gabriel into the heart of the Prophet without his seeing him (يلقى الملك في قلبه من غير أن يراه) and the appearance of Gabriel to the Prophet in human shape. He is said to have appeared to him several times in the shape of a certain (كان يمثّل له الملك رجلاً قد كان يأتيه في صورة شخص) Duhayy. Inspiration is said to be accompanied by tinkling of bells or by the Prophet's seeing Gabriel in his true shape (with six hundred wings) or the Prophet's receiving revelations in heaven (ما واحاد الله اليه وهو فوق السموات) or God's speaking to the Prophet directly (كلام الله منه اليه بلا واسطة), as He did to Moses or God's speaking with the Prophet face to face without a separating curtain (تكلم الله له كفاحاً بغير حجاب) (Mawâhib i 271—278)

Besides the above enumerated modes of inspiration Suyûtî says that possibly the Angel received the revelation from God in a supernatural

(2) By instillation (نصب) into the heart of the Prophet whispering suggestion (نُصِبَ فِي رُؤْسِ الْكَلَامِ)

(3) By the mediation of an angel in human shape (بَاتِي فِي صُورَةِ الرَّحْلِ)

(4) By the appearance of an angel to the Prophet while asleep (بَاتِي الْمَلَكُ فِي النَّوْمِ)¹

(5) By direct communication from God to the Prophet in his waking or sleeping state (أَنَّ كُلَّمَا أَلَّهَ)

As regards the beginning of the revelations *Alasha* one of Muhammad's wives says The first revelations which the Prophet received were in true dreams and he never dreamt, but it came like the dawn of day After this the Prophet became fond of retirement, and used to seclude himself in a cave in Mount Hira and worship there day and night—till one day the Angel came to him and said

manner or learned it from the Preserved Tablet (الْكِتَابُ الْمَحْفُوظُ) in which it was written, and that he came down and transmitted it to the Prophet Some are of opinion that Gabriel transmitted to Muhammad both the meanings and the words of the Qur'an in Arabic others however are of opinion that only the meanings were communicated to him and that he expressed them in Arabic Others mention a variety of other modes of inspiration as many as forty or fifteen kinds.

¹ Muhammad at first had some doubt as to whether the angel that appeared to him was a good angel or the devil as he had also feared he being possessed by an evil spirit (مَجْنُونٍ) It is curious to observe how Khadija his wife undertook to decide the question as to the character of the angel and to prove the genuineness of the inspiration Ibn Hishām in his biography of the Prophet (i 154) relates that when the angel once appeared to Muhammad, she caused him (Muhammad) to sit on her left thigh then on her right thigh then on her lap when Muhammad assured her that the angel had not retired but remained in his place she took off her veil, (another version says caused Muhammad to slip into her chemise) and asked Muhammad whether he still saw the angel on his declaring that the angel had disappeared Khadija said Be of good cheer my cousin by God it is an angel and not a devil

Read but the Prophet said I am not a reader Then said Muhammad he took hold of me and squeezed me as much as I could bear and he then let me go and again said Read and I said I am not a reader Then he took hold of me a second time and squeezed me as much as I could bear and then let me go and said Read and I said I am not a reader Then he took hold of me a third time and squeezed me as much as I could bear and said

Read ' in the name of thy Lord who created
Created man from a clot of blood
Read ' for thy Lord is the most beneficent
He hath taught the use of the pen
He hath taught man that which he knoweth not
(Sura xcvi 1-5)

Then the Prophet repeated the words himself and with his heart trembling returned (i.e. from Hira to Mecca) to Khadija and said 'Wrap me up' wrap me up' and they wrapped him up in a garment till his fear was dispelled and he told Khadija what had occurred and he said Verily I was afraid I should have died ' Then Khadija said No it will not be so I swear by God He will never make thee ashamed For verily thou art kind to relatives thou bearest the afflictions of the people thou art hospitable and assisteth thy fellow men After this Khadija took the Prophet to Waraqa (وارقة) bin Naufal her cousin and said to him O my cousin hear what thy brother's son says Then Waraqa said to the Prophet 'O son of my brother' what doest thou see

¹ A tradition mentions that Muhammad said They wrapped me up and poured cold water over me —Bukhārī mentions that Waraqa bin Naufal the cousin of Khadija had embraced Christianity in the days of ignorance i.e. before Islām and that he used to copy from the Hebrew book (Thorah) and from the New Testament (الإنجيل), Bukhārī: 2

then the Prophet told Waraqa what he had seen and Waraqa said 'This is the Námus (نَامُوس) which God sent to Moses' ¹

'Ayesha also says 'Verily I saw him (Muhammad) perspire when the revelation came down to him, he became melancholy and turned pale in the face' and also "When the revelation came down to him, he used to cover his head and his face his teeth became cold and the perspiration ran down on his skin in drops like pearls. Another Tradition says that 'froth appeared before his mouth and he roared like a young camel (Bukhárí : 2 Mishkát)

After this first appearance of the Angel, tradition says that the revelations stopped for sometime (six months, two or three years according to different authorities), which made Muhammad so sad that he determined to commit suicide by throwing himself from the top of a hill but when he went up in order to carry out his intention, Gabriel is said to have appeared to him and to have said to him 'O Muhammad verily thou art the Prophet of God in truth. At these words he was comforted and at ease. The Imam Ahmad says 'God appointed the Angel Isráfil to be the Prophet's companion for three years, during which interval he instructed him but no Qurán was sent down to him through his instrumentality then God sent Gabriel to be with him and through the instrumentality of this Angel the Qurán was sent down to him for the space of twenty years' ²

¹ For the Arabic text see Bukhárí II 2-3 Námús evidently means the νόμος, or the Law, Mawáhib : 254-259

² Some portions are said to have been communicated to Muhammad directly from the Treasury of Mercy below the throne of God (من كنز الرحمة من تحت عرش الله) which is considered a privilege granted to no other prophet but Muhammad

The Qur'án is said to have been extant in the highest heaven from eternity¹ written on the Preserved Table (اللوح المحفوظ) near the throne of God and from thence to have been sent down to the lowest heaven in the month of Ramadan in the night of Al Qadr (ليلة القدر night of the decree) and stored up there in the Temple of Majesty (بيت العزة) from whence it was revealed to Muhammad in smaller or larger portions in the course of twenty to twenty-five years (Jowh 89 Itqan i 47 49)

Muhammad never undertook the task of collecting and systematically arranging his revelations in one book and the Qur'án as we now have it did not, therefore, exist in his life-time. The several portions had been written down from his lips¹ from time to time by an amanuensis or some friend or follower present on any material that happened to be at hand such as palm leaves bones, stones leather etc. For the space of about a year also after Muhammad's death no heed was felt for collecting and arranging these portions as they were preserved in the retentive memories of the many Readers of the Qur'án. When however various readings crept into the holy text and numbers of the readers who had learned the Qur'án from the Prophet's lips had fallen in the many battles

¹ The Qur'án is now held by all orthodox Muslims to be eternal and uncreated (عديم غير مخلوق) when the essential word of God is meant but when the written and pronounced Qur'án is meant it is not eternal but created

مذهب أهل السنة أن القرآن بمعنى الكلام النفسى ليس بمخلوق وأما

القرآن بمعنى اللفظ الذى تقرره فهو مخلوق (Jowh 68 88)

Ghazali says on the subject. The Qur'án is read and pronounced with the tongue written in books and kept in memory and yet is eternal subsisting in God's essence (i.e. the meanings of the Qur'án are in God) co-essential and co-eternal with him but the written book containing them is recent and created

that were fought in those times, it was felt by many that if the various portions of the Holy Book were not collected and arranged, and the various readings sifted and the true text fixed and written down much of the text might be lost and the greatest confusion of various readings be the result of such neglect. Umar bin al Khattáb was the first to give expression to the want thus felt. He advised Abú Bakr who was the Khalif at the time to order the Qur'án to be collected into one book. Abú Bakr hesitated at first but at last he consented and ordered Zaid bin Thábit (زيد بن ثابت) to undertake the task. The various portions of the Qur'án were collected from the materials on which they had been written, and from the memories¹ of men and written down by Zaid on sheets (صحف) and

¹ Among those to whom Muhammad had occasionally dictated his revelations were Ali and Uthmán. Among the amanuenses who were formally engaged for such work we see Zaid bin Thábit who is also said to have learned Hebrew for the purpose of conducting the Prophet's correspondence with the Jews. As many as twenty four persons are mentioned as having occasionally acted as scribes. At Mecca when Muhammad had no regular scribe he had the assistance of Khadija, Waraqa, Ali and Abu Bakr who all could read and write. At Muhammad's death the materials on which portions of the Qur'án had been written down were found heaped up in the room of Hafsa, one of his wives.

Even during Muhammad's lifetime various readings had crept into the text of the Qur'án which gave occasion to him to declare that the Qur'án had been revealed in seven versions (أُنزل على سبعة أحرف) Bukhári iii. 188 Itqán i 56—59.

Abú Bakr at first, hesitated to give the order for collecting and editing the Qur'án as he said that he had received no authority or command on the subject from the Prophet. Zaid an intelligent young man who had been accustomed to write down the revelations being aware of the difficulties and the importance of the task at first refused to undertake it but on being urged again and again, consented and collected whatever he could from the scattered portions of the Qur'án written on palm leaves bones etc. and from the memories of men. One portion he found with a single man only. (For further details see Itqán i. 71-74 Bukhári iii 186—188 Muir's Life of Muhammad, 551 ff Dictionary of Islam, 486—489)

delivered to Abu Bakr who preserved them during his lifetime

The Shi'ah sects pretend that Ali collected the Qur'án into a volume during Muhammad's lifetime and at his command (See Noldeke 191 Sprenger III p xlv)

On what principles Zaid performed his task of collecting and editing the Qur'án and what was the exact character of this first edition it is difficult to ascertain as no copies of the same have been preserved. What we can collect on the subject from various records still extant is

(1) That the collector and editor Zaid one of Muhammad's scribes was on the whole a man well-qualified for such kind of work that he was a young man intelligent honest and unbiassed and therefore not suspected of having any inclination to tamper with the text of the Qur'án

(2) That he had been instructed not to receive anything as belonging to the Qur'án unless two witnesses at least testified to this being the case

(3) That in putting together the portions of the Qur'án he in general followed the original from which he copied but occasionally added verses to a longer Chapter or portion without regard to sense and connection

(4) That he does not seem to have arranged the Qur'án into Súrás but to have only collected the materials he found in parts or portions (صفحات sheets leaves bundles). This is confirmed by a tradition which says he collected it, not arranged into Súrás after immense trouble

(جمعة غير مرتب السور بعد تعب شديد)

(5) That his edition though complete on the whole did not contain every verse which had been revealed. Some parts may have been suppressed by Muhammad others forgotten

(6) That it is not likely that either Zaid or Umar intentionally altered any part of the text or made additions or omissions

(7) That Zaid's edition does not however seem to have been generally received as the authoritative text and standard edition for a number of the Qur'án readers continued to read certain verses in a different way in which they pretended to have heard them from the Prophet without regard to the text fixed by Abú Bakr. Still, there is no doubt that this first compilation was of very great importance as it formed a generally reliable basis for a later revised edition

(Itqán I. 71-74 Muir's Life of Muhammad pp 555-577 Noldeke 189-204 Dictionary of Islám 486-487 Sell's Essays on Islám pp 218-241 in which the Arabic text of the lost Súra the Suratu'n-Nazam is given)

Notwithstanding this attempt of Abu Bakr to fix an authoritative text of the Qur'an, which would be generally received and to do away with all readings differing from it the differences in reading the Qur'an not only continued but increased and spread in the various countries subjected to the Muslim rule to such a degree that the greatest confusion ensued and angry strife and controversy was the result thereof¹

¹ Uthmān also had recourse to Zaid b Thābit with whom he associated a syndicate of three members of the Quraish. He sent to Hafsa requesting her to send those portions which she had (الحفظ) saved.

I shall have a number of copies taken of them and then return them. Uthmān then ordered Zaid and Abdullāh bin Jubair and Sa'id bin al-A'as, Abdur Rahmān al Harith to take copies of them (Iqān : 74-75). To the effect he said: "When you and Zaid differ in anything concerning the language of the Qur'an then write it in the language (dialect) of the Quraish for it was revealed in their language." They did as Uthmān had commanded them and the old original was returned to Hafsa. Transcripts of the new recension were then forwarded to the chief cities in the empire and the previously existing copies were all by the Khalifa's command committed to the flames. Bukhārī says that the copy of Abu Bakr's recension committed to the keeping of Hafsa was soon after destroyed by Marwān governor of Madīna, lest it should make people to doubt. Copies of this new edition were sent to Kufa Basra Yamama Bahrain and Damascus one copy remained at Madīna. The recopies were however to have been soon lost and no trace of them is to be found now.

This edition of Uthmān has been handed down to us. Notwithstanding the care which had been taken to produce an absolutely corrected edition it seems that it did not prove to be quite free from mistakes (orthographical grammatical idiomatic) for Uthmān on examining the copies written at his command said: "I perceive mistakes in them but the Arabs will correct them" (أرى خطأ وستقوم العرب).

A comparison of a number of copies of the Qur'an will show that it is as little as any ancient book free from various readings (روايات). They do not however amount to any important alteration of the sense of the text and are chiefly the result of the ignorance or negligence of the transcribers or their desire to correct what they considered not quite clear or correct.

In consequence of the alarming spread of the differences in reading the Qur'an and the great confusion caused by the same the Khalf Uthman was persuaded to have a new recension of the Qur'an made which was to be accepted as the authorized and standard text of the Holy Book and which was to do away with all readings differing from the same¹

The chief Qur'an readers (حُفَاطُ مَرَاءِ) who were recommended by Muhammad himself as regards their correct and extensive knowledge of the Qur'an and of whom he said 'Learn the Qur'an from them (حُدُوا الْقُرْآنَ عَنْ أَرْبَعَةٍ) are the following four —

- | | | |
|---|-----------------------|---------------------|
| 1 | 'Abdu llah bin Mas'ud | (عبد الله بن مسعود) |
| 2 | Salim bin Ma'qal | (سالم بن معقل) |
| 3 | Ma'az bin Jabal | (معاذ بن جبل) |
| 4 | Ubay ibn Ka'b | (أبي أس كعب) |

Addani in his book *المصنف في رسم المصحف* treats at large on this subject (Itqān : 127 ff) Nöldeke in his *Geschichte des Qur'āns* gives a full list of the variants extracted from that work see pp 237 266

¹ At last Hudayfa bin al Yaman (حذيفة) who had warred both in Armenia and Azerbijan and had observed the difference between the readings of the Syrians and the men of Irak alarmed at the number and extent of the variations warned the Khalf Uthmān to interpose before they should differ (regarding their Scriptures) as did the Jews and the Christians

* The first two were of the Refugees (مهاجرين) and the other two of the Ansār (انصار) Helpers Madīna men) Salim died at the battle of Yamama, and Ma'az during the Khalifate of Umar Ubai and 'Abdu llah bin Mas'ud during the Khalifate of Uthmān Zaid outlived them all and became the chief authority on the Qur'an Suyūti says those of the Companions (اصحاب) of the Prophet who were celebrated for their knowledge of the Qur'an are seven Uthmān Alī Ubai Zaid Ibn Mas'ud Abū Dardā Abū Mūsā-ul Ash'ari From them the knowledge of the Qur'an was transmitted to a number of the Followers (التابعين) For details see Itqān : 88 sqq

Among the Qur'án readers in the various dominions of Islam the following seven are considered as of higher authority than all others and their readings are considered the standard readings. They are called the seven Imáms (الأئمة السبعة) Itqan : 92) Nafi (نافع) Abu Ima (ابو عمر) Ibn Amir (ابن عاصم) Ism (اسم) Ham a (حمزة) Al Kisa'i (الكسائي). To these some add three more so that we often read of the ten Imams. The generally recognized ones however are the above mentioned seven.

For further details on this subject see Itqan 88 104 Goldck p 234 299 Sell's Faith of Islam pp 382 358

The variants are divided into several classes according to the authority on which they rest and the value they consequently possess. They are called

(1) مرويّة when resting on the authority of one of the seven Imams

(2) رواه, when transmitted by some one on the authority of one of these Imams

(3) طريق when mentioned by some learned doctor of later authority

(4) راحة when the reader is at liberty to choose between the various readings (Itqan : 93 97)

The Suras of the Qur'an are neither arranged chronologically nor according to matter but chiefly as to length or shortness. The long Suras were placed first and the short ones last. Within the Suras, some portions have been arranged in chronological order others on the ground of similarity of matter but in a variety of instances passages are joined together without any regard to either chronology or similarity of subject. Thus we find verses revealed at Mecca in the midst of Madina Suras and passages revealed at Madina mixed up in the earlier Mecca

Súras and occasionally most heterogeneous materials put together without any regard to logical connexion at all

It is however of great importance for the sake of the exegesis of the Qur'an to ascertain as far as this is possible the chronological order in which the Súras or various parts of the Suras have been revealed¹

In general the Súras may be divided into

(1) *Mecca Suras* (سور مکه) i.e. Suras revealed at Mecca or more correctly the Suras revealed before Muhammad's flight to Madina

(2) *Madina Suras* (سور مدینه) i.e. Suras revealed at Madina or more correctly all Suras revealed after the flight to Madina whether revealed in that city itself or in some other place

Commentators have laid down certain rules by which they say that the Meccan Súras can be distinguished from the Madina Súras such as

(1) What begins by O ye believers (يا ايها الذين آمنوا) belongs to the later Madina Súras

¹ For classification of the Súras according to Arabic authorities see Itqán : 10 12

Though it is not possible to fix with absolute certainty the time at which each portion of the Qur'an has been revealed still we have material which will help us in ascertaining for the greater part of the same the period and the occasion at which they were revealed

Many works have been written on the subject by learned doctors of Islám. Abú l Kásim Neisaburí says "One of the most noble branches of the sciences of the Qur'an is the knowledge of the manner the occasion and the place of the revelation of the Qur'an and the chronological order in which the Súras have been revealed at Mecca and what at Madina and what at other places. He who does not know these things is not allowed to speak on the Book of God (Itqán : 10)

(2) What begins with O ye sons of Adam or O ye people (يا ابناء الناس - يا بني آدم) belongs to the Mecca Sûras

(3) Passages in which the 'by gone generations (الأمم والعرون) are referred to are of Meccan origin

(4) Passages which contain laws and ordinances (سنن و فرائض) belong to the later Madîna Sûras According to Ibn Abbâs there are twenty seven Madîna Sûras the remainder are Meccan

European Scholars such as Weil Noldeke Muir, Rod well, Palmer adopt different classifications which vary in several points from that of the Muslim doctors

Sir W Muir gives the following approximative chronological order of the Sûras

First Period Eighteen Sûras 103 100 99, 91 106, 1 101, 95 102 104 82 92 105 89 90 93, 94 108 These are all short rhapsodies They may have been composed before Muhammad had conceived the idea of a Divine Mission

Second Period The opening of Muhammad's ministry Sûras 96, 113 74, 111

Third Period From the commencement of Muhammad's public ministry to the Abyssinian emigration, Sûras 87, 97 88 80 81 84 86 110 85 83 78 77, 76 75 70, 109 107 55 56 These are chiefly composed of descriptions of the Resurrection, Paradise and Hell with references to the growing opposition of the Quraish

Fourth Period From the 6th to the 10th year of Muhammad's ministry Sûras 67 53 32 39 73 79 54 31 31, 69 68 41 71 52, 50 45 44, 37 30 26, 15 51 With this period begin narratives from Jewish Scriptures and rabbinical and Arab legends The temporary compromise with idolatry is connected with Sûra 53

Fifth Period From the 10th year of Muhammad's ministry to the flight to Medina Sûras 46 72 35 36 19 18 27 42 40 38 25, 20 43 12 11 10 14 6 64 28 23, 22 21 17 16, 13 29, 7 113 114 The Sûras of this period contain some narratives from the Gospel

Sixth Period Sûras 98 2 3 8 47 62 5 59 4 58 65 63 24 33 57 61, 48, 60 66, 49 9¹

In Rodwell's Quran translated from the Arabic the Sûras are arranged in chronological order Professor Palmer in his translation of the Qur'ân into English gives an abstract of the contents of each Sûra of the Qur'ân which may also be found in the Dictionary of Islâm, p 492 515

There are in the Quran passages suggested by men Suyûti mentions that in several cases the Truth was also revealed through the instrumentality of other persons 'than the Prophet'

¹For more details see Muir The Qur'ân 43-47 Nöldeke 45-174 Sell's Historical Development of the Qur'ân S P C K.

² Thus he mentions that Ibn Merdawiyya said Umar used to have an opinion on a certain subject and lo! a Qur'ân revelation came down in accordance with the same Bukhârî also reports on this subject Umar used to say I and my Lord (God) agreed in three things I said O Apostle of God that we might adopt the Makâm of Abraham the Ka'ba as a place of worship —and a revelation came down to that effect Take ye the Makâm (sanctuary) of Abraham for a place of worship (Sûra 11 119) then I said O Apostle of God I see the pious and the wicked enter thy house and look at thy wives it would therefore be better if thou didst command them to put up a curtain and lo! —the verse of the curtain (الحجاب) was revealed When ye ask them (the Prophet's wives) for an article ask them from behind a curtain (Sûra xxxiii 53) then when I saw the wives of the Apostle of God collect around him in a state of jealousy I said Perhaps God will make him divorce you and give him better wives than you are and lo! —a revelation came down in these terms (Sûra lxxvi. 5) Umar further says When the verse Truly we have created man of a choice sort of earth (Sûra xlii 12) was revealed I exclaimed Blessed be God the most excellent of creators! and this (exclamation) was literally received into

Though the Qur'án is on the whole a complete collection of the revelations of Muhammad, still some smaller portions seem to have been omitted when it was collected into a volume so that it cannot be considered as absolutely complete¹

the Qur'án Al Bará also says When the verse Those of the believers who remain at home and those who fight in the way of God are not alike (Súra iv 97) was revealed the Prophet said Call 'Aid and let him bring the tablet and the inkstand then he said to him write Those of the believers who remain at home and those who fight in the way of God are not alike Hereupon Amrú bin Umm Maktum a blind man who stood behind him exclaimed What dost thou command me O Apostle of God for I am a blind man In consequence of this the verse was changed to Those of the believers who remain at home except those who have a defect (Súra iv 97) See Baidáwí's Commentary on the verse

Several other instances of this kind are mentioned by Suyúti showing that Muhammad had no objection to embody in the Qur'án opinions and expressions from other people when he considered them suitable and expressive It seems difficult to reconcile this with the orthodox doctrine that every single word of the Qur'án was from eternity written on the Preserved Table and communicated to Muhammad by direct divine revelation (Itqán i 43 et seqq)

¹ Suyúti (Itqán ii 80-82) mentions that Umar is reported to have said some of you say I possess the whole Qur'án but how can he know what is the whole Qur'án since a great portion of the same has disappeared Let him rather say I possess of it what is still extant also of 'Ayesha that she said the Súra of the Confederates (xxxiii) consisted at the time of the Prophet of two hundred verses when Uthmán wrote the Mushaf he was only able to collect of it what it now contains (i.e. 13 verses) also that Ubai bin Kab said to Zarr bin Jai'ah How many verses dost thou count the Súra of the Confederates? He replied seventy two or seventy nine Ubai said It used to be as long as the Súra of the cow (286 verses), and we used to read in it the verses of the stoning of the adulterer (آية الرجم) Zarr said what is the verse of the stoning to which Ubai replied If the old man and the old woman commit adultery stone them.

Umar himself was so convinced that this verse was part of the Qur'án that he said If I were not afraid that people would say Umar has added something to the Book of God, I should write it down in the Qur'án

There are in the Qur'án a number of passages which contradict each other (باض) In order to remove from the Holy Book the reproach of contradiction and inconsistency, Muhammad himself set up the theory of abrogation (نسخ) In Súra 110 God is made to say ' Whatever verse we abrogate (ما ننسخ), or cause thee to forget, we will bring a better one than it or one like it This theory was subsequently worked out more systematically by Muslim theologians.¹

Another passage which Ayesha affirms they used to read as part of the Qur'án and which is no more to be found in the same is a verse commanding mothers to suck their children for the space of ten months (Itqán ii 26) One very remarkable instance of the suppression of a verse which Muhammad used to read for sometime as part of the Qur'án is that of the verse Those idols (of the Meccan idolaters) are the noble beings, and verily their intercession may be looked for (بلك العزائيق العلى وان شفاعة لترجي) Later on Muhammad declared it not to have been a divine revelation but a satanic suggestion (Mawáhib i 336 Muir's Life of Muhammad pp 86-91 Nöldeke p 80) Suyutí mentions various other verses which formed originally part of the Qur'án but which are no more extant in the same The learned doctors of Islám explain such omissions by saying that God has taken away (رفع) the passages alluded to causing them to be either quite forgotten or at all events not to be written down in the Book

¹ Abú l Kásim Hibatulláh bin Salama, the author of the book كتاب النسخ والمنسوخ, divides the abrogated passages (نسخ abrogating / منسوخ abrogated) into three classes

(1) Passages the sense of which is abrogated but the words remain—*e g* the Jerusalem Qibla abrogated by the Ka ba Qibla.

(2) Passages the words of which have been abrogated but the sense remains *e g* the command of stoning adulterers the words of which are no more extant in the Qur'án but the command still remains obligatory

(3) Passages abrogated both as to the sense and the words—*e g* the verse commanding the mothers to suck

An important subject in connexion with the exegesis of the Qur'án is the knowledge of what are called the obscure or ambiguous and the clear verses of the Qur'án (المبهمات والمحكمات). In Súra III 5 it is said *He it is who has revealed to thee the Book of which there are some verses that are clear (perspicuous) these are the mother (basis) of the Book—and others are ambiguous (figurative) —as for those in whose heart is perversity they follow what is ambiguous and do crave for addition craving for their own interpretation of it but none know the interpretation of it but God But those who are well*

their children for the space of ten months (For more details see Itqán II 24-32)

As regards abrogating and abrogated passages great differences of opinion exist between the many authors who have made this the special subject of their studies some holding that only a *Qur'án* is able to abrogate another passage of the Qur'án others maintaining that the Sunna also the saying of Muhammad being the word of God is able to abrogate even a passage of the Qur'án

Only such passages however as contain a command (أمر) or prohibition (نهي) can be abrogated Historical portions, reports (أخبار) promises (وعد) threatening (وعيد) can never be abrogated (Itqán II 25 a list of the abrogating and the abrogated passages according to the Itqán is to be found in Dictionary of Islám p 520 Faith of Islám pp 74-77)

It is therefore a mistake when some Christian controversialists state that the Muslims hold that the Old Testament (توراة) has been abrogated by the New Testament (انجيل) and that both have been abrogated by the Qur'án

They hold no such opinion as according to the abovementioned rule only such passages of the Old and New Testaments (divinely inspired books) as contain a command or a prohibition could be abrogated and all other portions history promises threats can never be abrogated in the technical sense of the word abrogation

There are a number of passages in the Qur'án which the learned say are only apparently contradictory but which can by proper interpretation be brought into harmony If this should however be impossible one of the contradictory passages must be declared abrogating as it is impossible to admit that the Qur'án contradicts itself. (Itqán II 32-37)

grounded in knowledge say We believe in it it is all from our Lord, but none will remember but those who possess minds ¹

Though Muhammad pretended that every word of the Qur'an was the result of divine inspiration ² it must become evident that by far the greater portion of it consists of materials collected from Jews Christians Sabaeans Magi and pagan Arabs

¹ There are various opinions with regards to these two kinds of verse but the more generally adopted one is that the clear perspicuous (مُسَمَّيَات) ones are those clearly understood without any allegorical interpretation and the ambiguous figurative ones those which God has reserved to His own knowledge such as the verses which refer to the Last Day the appearing of Antichrist the letters at the beginning of the Sûras also such expressions as face hand right hand when applied to God These verses are to be believed but not to be explained (For more details see Itqân ii 315 and also Ibn Khaldûn also Faith of Islâm pp 169 70 for a different reading in Sûra iii 5 and the important result which followed from it)

² The Muslim divines declare that Muhammad being the illiterate Prophet (النبي الأمي) unable to read and to write he could not have obtained the contents of the Qur'an except through divine revelation and that the Qur'an under these circumstances must be considered one of the greatest proofs of Muhammad's prophetic character

Whether Muhammad knew how to read and to write is a controverted question Most Muslims deny it some however affirm it As a number of people at Mecca were conversant with the art of reading and writing and Muhammad was a most intelligent man and had acted for a long time as mercantile agent for Khadijâ it is not unnatural to suppose that he too was able to read and to write That he did not however possess any part of the Old or New Testament from which he might have derived much of his information is pretty certain Still it is a fact that he had many opportunities at Mecca on his journeys to Syria, and during his stay at Madîna of obtaining religious information from Koa bishop of Negrin Waraqa Saïmân the Persian and the Jews at Madîna. (See Ibn Hishâm i 144 Sprenger i 60 and 102 137 Rodwell Qur'an Introduction p xviii Geiger's Was hat Muhammadans dem Judenthum aufgenommen in English Translation (S P C K Madras) Gerock Christologie des Qur'an Nöldeke 1—15 Fisdall's Sources of Islâm)

It has been said with much truth that Islâm owes more to Judaism than it does to either Christianity or Sabaeism and that it is simple

Commentaries on the Qur'án are numerous. Very soon after Muhammad's death some of his companions and chief followers began to comment on certain passages of the Qur'án. Among the first who did so are mentioned the four first Khalífs, Alí Mas'úd, Ibn Abbas Zaid ibn Thabit Abú Musa bin Ash'arí¹

The commentaries chiefly consulted at present are

Al Jalalain الكتاب الجلالين في تفسير القرآن العظيم

It is the joint work of Jalalus Suyutí and Zatalul Mahallí (864 A.H.) It is printed at Boulak

Al Bardawí (685 A.H.) كتاب ادوار التنزيل واسرار التأويل

Ed Fleischer Leipzig 2 vol

Al Baghawí (515 A.H.) تفسير البغوي

Az Zamakhsharí (604 A.H.) الكشاف عن حقائق التنزيل

I II Calcutta

Muhammad Razi Fakharu d Din (606 A.H.) معاني العيب

للإمام محمد بن محمد الرازي Boulak

Talmudic Judaism adapted to Arabic plus the apostleship of Jesus and Muhammad and that where Muhammad departs from the monotheistic principles as in the idolatrous practice of the pilgrimage to the Ka'ba it is evident that it is done as a necessary concession to the national feelings and sympathies of the people of Arabia (Deutsch)

¹ Among these the chief man is no doubt Ibn Abbás (68 A.H.) a cousin of Muhammad for their fathers were brothers. He lived at Madína and is said to have been only thirteen years of age at the time of the Prophet's death. He fought in North Africa and was appointed by Alí the Governor of Basra. After the death of Alí he retired from public service and devoted himself entirely to the study of the Qur'án. He was the great authority on the Qur'án and was therefore called the Interpreter of the Qur'án (ترجمان القرآن) and the Ocean (البحر) and may be considered the Father of the exegesis of the Qur'án (Itqán ii 221 Sprenger iii cvi). For a list of the chief of the earlier commentators (2nd and 3rd century A.H.) See Itqán ii 222 226—Sprenger iii. 104-120. Of these however we only know the names their commentaries are lost.

The best European edition of the Arabic Qur'án is the *Corani Textus Arabicus* ed Gustav Flügel Lipsiæ 4to. A book which will be found most useful in the study of the Qur'án is a concordance on the same *Concorantiæ Corani Arabicæ* Ed Flügel Lypsiæ. Of English translations with introductory remarks and more or less copious explanatory notes on the text these may be mentioned —

The Qur'án by George Sale The Qur'an by J M Rodwell The Qur'án by E H Palmer Some useful books are — The Qur'an its Composition and Teaching by Sir W Muir London published by the Religious Tract Society also Sell's Historical Development of the Qur'an (S P C K) Tisdall's Sources of the Qur'án (S P C K)

Before concluding this chapter it may be interesting to hear what As Suyúti in his famous Introduction to the Qur'án (Itqán) says on the variety of subjects the student of the Qur'án must make himself acquainted with before he is able thoroughly to understand the meanings of the Holy Book. Among these he mentions the following which form so many chapters of his work

The Mecca and the Madína Súras Súras revealed at home on a journey in the day time at night in summer in winter in bed in a dream on earth in heaven first revealed last revealed the occasion of the various revelations what was revealed by the mouth of some person other than Muhammad what was twice revealed what became law before it was revealed in the Qur'án and what became law after it had been revealed in the Qur'an portions revealed en bloc and portions revealed separately what had been revealed to other prophets also and what was revealed to Muhammad only the manner in which the Qur'án was revealed the names of the Qur'án and the titles of the Súras the collecting and arranging of the Qur'án the Qur'án readers the authorities for the various readings the variants the science of reading the Qur'án what is written in a language not Arabic what is clear and what is ambiguous passages abrogating and passages abrogated passages apparently contradictory what is meant in a literal and what in a tropical sense the similes and parables used in the Qur'án the beauties and excellencies of the Qur'án the rhymes the sciences derived from the Qur'án &c (Compare also the article *الكتاب* in Bannáni i 117 127 and the chapter *آداب تلمذة القرآن* in Ghazálí's *Ihyá* i 168-162)

The Sunna (سنة) the second foundation of Islām is next in importance to the Qur ān ¹ The term signifies the custom habit usage of the Prophet It designates his behaviour mode of action, his sayings and declarations under a variety of circumstances in life, which are considered to be so many rules to be observed and examples to be imitated by all pious Muslims It is also called Hadith (حديث) piece of information account narrative, story and record of the actions doings and sayings of the Prophet as recorded and handed down by tradition and which have become the rule of faith and practice of Muslims

The science of Tradition (علم الحديث) is considered the noblest and most excellent after that of the Qur ān, and its study the next in importance to that of the Holy Book Muhammad himself is said to have encouraged his followers to keep and transmit his sayings ²

¹ سنة (pl سنن) from سَنَّ to institute establish a custom, a practice a usage to be followed way course rule mode of acting or conduct statute ordinance (Ban i: 64 السنة اصطلاحاً تطلق على المجمع (من أقواله وعلمه وأفعاله وتقديراته) Both terms سنة and حديث are often used promiscuously as if they were synonymous which strictly speaking they are not for sunna properly designates the mode of action practice and the sayings and declarations (أقوال وأفعاله) of the Prophet while Hadith designates the narration account and record of such actions practices or sayings

An account record of such an act or saying is called a Hadith or a Tradition (أحاديث pl حديث) The term حديث is also used to designate a whole collection of Traditions such as the Collection of Traditions of Bukhārī Muslim, &c

² He is reported to have said 'May God bless him who hears my words and keeps them, and understands them and transmits them' and also 'Transmit from me if it be but one verse (بلغوا عني ولو آية) When once asked who would be his successors, he replied "Those who

Very soon after the death of Muhammad the want of possessing more detailed and reliable information on the exact meaning of certain passages of the Qur'an and certain doctrines and practices of Islam made itself felt and gradually stimulated the desire to have the Traditions (احاديث) which had hitherto not been generally accessible and had only been transmitted by word of mouth collected sifted and written down so as to preserve them from corruption and loss and to have them fixed as a code of law. About one hundred years after

report my sayings (احاديثي) and instruct men in the same. Sufian ibn Thaur (سفيان الثوري) says: I do not know a more excellent science than the science of Tradition (علم الحديث) for people are in need of it even with regard to their food and drink. It is more excellent than prayer and fasting. Hakim says: If it were not for the great companies of Traditionists (محدثون pl محدث) the light of Islam would have been extinguished. Muhammad used to say: science (religious science of Islam) consists of three things: well ordered verse, well observed sunna and just law. (العلم ثلاثة آية محمده أو سنة قائمة أو فريضة عادلة)

Under the term Sunna are comprised

(1) all utterances sayings declarations oral laws emanating from the Prophet. These are called سنة القول Sunna of saying.

(2) His acts customs practice سنة الفعل Sunna of action.

(3) His silent approbation and sanction of certain acts of others سنة القبر Sunna of approbation confirmation (Bairi: 65.)

These traditions are on account of their importance also called وحى غير مسطور (unread revelation) i.e. uninspired record of inspired sayings of the Prophet.

To obey the Sunna is a duty laid upon every pious Muslim in imitation of the Prophet. It is not however, a duty of the same obligation as the commands of the Qur'an which are فريضة duty of absolute obligation. The duty of observing the Sunna and conforming to its rules is of various degrees of importance such as the سنة الهدي or Sunna of guidance سنة موكدة the Sure Sunna or those duties which cannot be neglected without committing a fault (Faith of Islam pp 17-21), the سنة زائدة or additional Sunna which may or may not be observed.

Muhammad the Khalif Umar II (99—101 A H)¹ gave orders to have them collected and committed to writing

1 This Khalif requested Abū Bakr ibn Muhammad (120 A H) to write down what he could find of the Sunna or Hadith. The task thus begun continued to be vigorously prosecuted and Traditions were collected from all parts of the Muslim Empire but we possess no authentic remains of any compilation of an earlier date than the middle of the second century. Then indeed ample materials had been amassed and they have been handed down to us both in the shape of Biographies (سير pl. سيرة) and of general collections of traditions which bear upon every imaginable point of Muhammad's life and habits and give details of the minutest incidents of that life as well as of the doctrines and practices of the religion of Islam. (For details see Muir's Life of Muhammad, p 566 *et seqq* Dictionary of Islam 643 Sprenger III lxxvii Bukhārī's Traditions with the Commentary of Castellan: 1 6 Ban. II 64. Ibn Khaldūn I 368)

The text of a Tradition is called *نسخة* the authority the guarantee on which a Tradition rests is the support or *أسناد* (pl. *أسانيد*) the chain of reporters who vouch for the correctness of the Tradition is the *سلسلة الأسانيد* the relator of a Tradition is the *راوي* (pl. *رواة*) and his version the *رواية* (pl. *روايات*)

Traditions are divided into various classes¹ (*صناعات*), according to the degree of authority they possess the persons from whom they are derived the manner in which they have been transmitted and other characteristics. (see Bukhārī's Commentary 1 7 Ibn Khaldūn I 368 *et seqq*)

1 Traditions may be Genuine, sound (*صحيح*) handed down by pious men, distinguished for their integrity (*مدول خاطين*) good mediocre (*حسن*) not coming up to the authority of the first degree weak (*ضعيف*) or inferior as to their trustworthiness (*قصر عن درجة الحسن*) They may also be traced up (*مرفوع*) to Muhammad himself or restricted (*موقوف*) or intersected (*مقطوع*) They may also be connected (*متصل*) or interrupted (*منقطع*) They may be generally accepted (*مخواتر*) or well-known (*مشهور*), or strange (*غريب*) or invented, false (*موضوع*) For the

The collections of Traditions now considered as of the greatest authority in fact the standard canonical collections and called the six books —

(الصحيح الستة - الكتب الستة - الكتب المعتمدة)

are those of —

1 *Bukhari* (محمد بن اسمعيل البخاري) who was born A H 194

His plan was only to collect genuine Traditions and his book is therefore called صحيح البخاري or the sound traditions of Bukhārī. He is said to have chosen out of 600 000 traditions only 7 275 which he considered genuine. As these are repeated under various heads they can be reduced to about 4 000. A learned doctor of Islam says

The collection of Bukhārī is the most excellent book of

exact meaning of these terms and others used in this science which it would lead us too far to explain here in detail see Bukhārī's Commentary i 7 16 Dictionary of Islām 640 Faith of Islām pp 86-7. Among the earliest collectors of traditions may be mentioned Mālik bin Anas (عبد الملك بن أنس) in Mādīna Abdul Malik bin Jarīh (عبد الملك بن جرير) 150 A.H. in Mecca Abdu r rahmānu l Wazā' i (عبد الله الرحمن الوزاعي) at Damascus Sufiān ath Thuri (سفيان الثوري) at Kufa Haminād bin Salama bin Dīnār (سلمة بن دينار) at Basra. Some of them mentioned the Traditions together with the chain of witnesses, others, like Al Baghawī (البغوي) give the text only.

(For a list of learned doctors who have written special works on the Science of Tradition see Bukhārī's Commentary i 7)

At the end of the 8th century A. H. there existed already a large number of systematically arranged collections of Traditions. Among these may be mentioned the Muwattā' (كتاب الموطأ) of the Imam Mālik (179 A. H.). The Imāms Idrīs ash Shāfi' i Ahmad bin Hanbal and others had made such collections each in support of his special system of Theology and Jurisprudence. This kind of collection of Traditions is called a Musnad (مسند), as its object is to furnish the supports dicta probantia of the theological system of the respective authors. (See Faith of Islām pp 26-30 Osborn's Islām under the Khalīfs of Baghdad Chapter I)

Islam after the Book of God (Bukhārī's Commentary : 19 Sprenger III, on Ibn Khaldun : 369)

2 *Muslim* (مسلم بن الحجاج القشيري) who died in 261 A H

The Imām Muslim a disciple of Bukhārī followed the plan of his master in writing his Masnad receiving in his collection, the صحيح مسلم only what he considered genuine traditions of which he collected 4 000 The collection of Bukhārī was in high repute and preferred to all others in Asia and Egypt that of Muslim chiefly in Spain and North Africa

3 *Abu Daud* (أبو داود السجستاني) He died in 275 A H His collection is called the Sunana Abu Daud سنن أبي داود and contains 4 000 traditions

4 *Tirmidhi* (أبو عيسى الترمذي) who died in 279 A H was a disciple of Ahmad ibn Hanbal His work is called جامع الترمذي

5 *An Nisa'i* (أبو عبد الرحمن النسائي) who died in 303 A H He was the author of the سنن النسائي

6 *Ibn Maja* (أبو عبد الله القرويني) died 273 A H His collection the كتاب السنن, is also highly esteemed¹

¹ The much esteemed collection by Ibn Mālik the Muwatta, الموطأ is a so-called مسند i.e. a collection made in support of a certain theological system arranged under special chapters of the Fiqh and thus more a *corpus juris* than a *corpus traditionum*. A later but also very much esteemed collection of traditions is the Mishkāṭ al-anwār (مشكاة الأنوار) the niche of lights written by the Shaikh Wāḥid al-dīn 787 A H. There is an English translation of this work translated by Captain A. N. Mathews, printed at Calcutta, 1809

The third foundation of Islam is the Ijma ^١ إجماع or the unanimous agreement of the Muslim nation

A very handy collection of traditions (text only) is the كشف الغممة (عبد الوهاب) by the Shaikh Abdu l Wahháb ash Sharáni (عبد الوهاب) printed at Cairo 1281 A H

The Shi'ah sects though they do not accept the traditions of the Sunnis, do not reject Tradition. They have their own collections which however cannot be considered as of much value for the study of this branch of theology is of recent date with them. They consider their Imáms (successors of Ali) as infallible and their sayings consequently as of the same authority as the Qur'án. They have not at times, scrupled to invent lies in support of their systems (Sprenger iii. 11)

Their standard collections of traditions are

Al Ka fi by Abu Ja'far Muhammad ibn Ya'qúb (329 A.H.) Man la Yastahziruho-l Faqih by Shaikh Ali (381) the Tahzib of Abu Ja'far ibn Husain (466) the Istabsár by the same the Nahju l Balágha by Syedur Rázi (406)

In the sixth century we hear of the ten canonical collections (المصنفات العشرة) which were adopted in the west but were not considered as of the same authority with the six in the East. The following ones were added to the six (الرجال الستة) the Muwatta the Sunan of Bazzár (440) the Musnad of Abú Shiba (264) the Sunan of Darakotni (385) the Sunan of Baihaqi (458). The collection of Ibn Májá was then not included in the list of the ten standard works.

A most able treatise on the subject of Tradition is found in Ignaz Goldziher's Muhammedanische Studien Halle 1890 II Theil p 1203. On the value of Tradition see Muir's Life of Mahomet Vol I Bánnán treats of the various questions connected with the Sunna in his famous work the Commentary on جمع الجوامع vol II p 164 190.

^١ إجماع to agree to be of one mind. إجماع n. a. agreement being of one opinion. Ijmá designates the unanimous agreement of the Muslim nation الأمة, or rather of the representatives of the same the learned doctors of Islám, called the Muftahidín (المجتهدين) on certain legal or theological questions, and corresponds with the Christian term the unanimous consent of the apostolic Fathers —

(الإجماع هو اتفاق المجتهدين في عصر على حكم شرعي)

The importance and value of such a collective opinion of the Muslim nation or congregation or its representatives, the chief doctors of Islám

or rather the Mujtahidīn or the great doctors of the nation

rest on the saying of Muḥammad "My people will never agree on falsehood" (أمتي لا يجمع على ضلالة لا يجمع أمتي على خطأ) This agreement is to be arrived at by اجتهاد or exertion or continuous examination and meditation on the subject under consideration

The chief men among the company of the Mujtahidīn are the Companions of the Prophet (اصحاب pl صحابي) and the first four Khalīf. Such agreement is said to be three fold

(a) Agreement of word (الاتفاق القولي) or declaration of opinion in words

(b) Agreement of action practice (اتفاق الفعل) or expressed in unanimity of action practice

(c) Agreement of silence (اتفاق السكوت) or tacit assent by silence or non interference. There is also the so called composed agreement (اجماع مركب) or unanimous agreement as to the matter but difference as to the cause (علة) and simple agreement (اجماع غير مركب) which denotes absolute agreement in everything

It has been very properly remarked that the setting up of this agreement of the learned doctors of Islam as a foundation of the Faith and practice must be a source of religious dissension and sectarian strife. Though it is now accepted by the orthodox Muslims there have not been wanting learned doctors who have altogether rejected it as he said it was a matter of impossibility to collect the opinions of all the persons even in the same generation (في عمر) who would have the right to vote on the subject

Great diversity of opinion exists about the persons who may be considered as Mujtahids with regard to the time (عمر) in which they are to be found. Some are of opinion that only the Companions of the Prophet can be considered as men of such high authority others add to these the Ansār (أنصار) that is, the men of Madīna who assisted the Prophet others again include the Refugees (المهاجرين) the people of Mecca who fled with the Prophet to Madīna. Some consider the authority of the people of Madīna to be the higher as they had had the best opportunities of hearing the sayings and observing the practices of the Prophet. The majority of Muslim theologians however are of opinion that there may be true Mujtahidīn in any age and in any place and that their unanimous agreement is to be accepted

Three classes of Mujtahids are mentioned by writers on this subject

1 The absolute Mujtahid—

المجتهد في السَّع - المجتهد المطلق

the Mujtahid of general and absolute authority whose sphere of exertion embraces the whole Law

2 The Mujtahid of a special school of theology

المجتهد في المذهب who is an authority within the sphere of one of the special theological systems, مذهب (مذاهب) as for example of the system of Abū Hanīfah of Shāfiʿ and of others

3 The Mujtahid of special questions and cases

المجتهد في المسائل which have not been decided by the founders of the four great orthodox schools (See Ban 120-134 Dictionary of Islam pp 198 and 418)

The fourth source or foundation of Islām, is the Qīas¹ (measuring), by which is meant the reasoning by analogy of the learned doctors of Islam the Mujtahidīn with regard to certain difficult and doubtful questions of doctrine and practice by comparing them with similar cases already settled by the authority of the Qurʾān Sunna or Ijmāʿ and thus arriving at the solution of undecided questions

as conclusive in any legal or theological question (See the view of Mirzā Kāzīm Beg in Faith of Islām pp 41 46) اجتهاد from مجتهد to exert oneself to take pains is a conventional term for a learned Muslim who exerts the faculties of his mind to the utmost for the purpose of forming an opinion in questions of law respecting a doubtful and difficult case اجتهاد is the exertion of the Mujtahid in solving such a question by means of reasoning and comparison

¹ قياس n a Measuring measure reasoning by analogy from قياس

to c compare conclude. This method of solving difficult and undecided questions is considered to be in y with the Qurʾān which

Muhammad himself is reported to have sanctioned and encouraged the reasoning and the exerting of the faculties of one's mind (اجتهاد) in order to find the proper solution of difficult and doubtful cases of Law. A Tradition states that the Prophet wished to send a man named Mu'áz to Al Yaman to receive some money collected for alms which he was then to distribute to the poor. On appointing him he said 'O Mu'áz by what rule wilt thou act?' He replied 'By the law of the Qur'an.' 'But if thou findest no direction therein?' 'Then I will act according to the Sunna of the Prophet.' 'But what if that fails?' 'Then I will make an 'Ijtihad (exertion) and act on that.' The Prophet raised his hands and said 'Praise be to God who guides the messenger of His Prophet in what He pleases!'

enjoins 'Take examples ye who are men of insight' (Súra lix) (اعصروا بأولي الألبار) which is said by commentators to mean 'Compare one thing with another.'

In the Qíás four points are to be considered—(أركان القياس ابعده)

(a) the thing compared with المقس عليه

(b) the thing compared المقس

(c) the point of similarity between the two the thing common to both المعنى المشترك بينهما

(d) the decision resulting from the comparison of both

حكم يعمد بواسطة المسرك الى المقس (Ban ii 199 ff and 216)

The Qíás is either (a) Jali (جلي) that is, evident, clear, apparent, e.g.

wine (خمر) is forbidden (حرام) in the Qur'an. Now خمر means anything intoxicating; it is clear therefore that opium and any intoxicating drug is also forbidden.

(b) Khafi (خفي) or hidden, concealed, e.g. by Tradition it is established that one goat in forty must be given to God as alms poor rate (زكاة) so it may be concluded that the value of the goat may be given instead of the goat (Ban ii 217).

There are four conditions of the Qíás—

(a) That the precept or practice upon which it is founded must be of general (عام) and not of special application.

(b) The cause (علة) of the injunction must be known and understood

(c) The decision (حكم) must be based upon either the Qur'an the Hadith or the Ijmá

(d) The decision arrived at must not be contrary to anything declared elsewhere in the Qur'an or the Hadith

The learned doctors of Islam were, as regards the legality of deciding religious questions by Qias divided into two camps

(1) the people of Qias (اهل العياس), also called the people of private opinion (اهل الراى) and (2) the people of the Tradition (اهل الحديث)¹

There are four theological Schools or Rites (مذهب pl مذاهب) to one of which every Muslim must belong. The founders of these four orthodox schools or rites are the so called four great Imáms (أئمة pl إمام) They are

(1) The Imam Abu Hanífa (الإمام الأعظم ابو حنيفة النعمان)

¹ Reasoning by analogy is also called اعيان الامثال or the comparing similars with similars. Among the great Imáms who allowed reasoning by analogy (الراى) was Abú Hanífa Málik Ibn Anas and the Imám ash Sháfi'i who was however less liberal on this point than Abú Hanífa, as he only allowed it in cases of very great necessity. He therefore obtained the title of Protector of Tradition (ناصر الحديث). To the people of the tradition who held that the Qur'an and the Sunna were the only rules of faith and practice belonged chiefly the men of the Záhiriyya School (مذهب الظاهرية) the heads of which were Dáúd bin Ali al Záhiri (270) and his son Ibn Hazm (عزم). Their opinions were violently opposed and entirely disappeared after a time (See Ibn Khaldun: 372 Banán: 134 215 Goldziher Die Zäheriten).

A very useful book on the four foundations of Islám in fact an introduction to the Science of Fiqh is the Annotations of al Bannáni on the Commentary of Zakánu l Muhallí on the work of the Imám Ibnu s Sabkí called جمع الجوامع (Cairo 1308 H).

حاشية العلامة السالى على شرح الجلال المحلى على جمع الجوامع للإمام
ابن السكى

(2) The Imam Muhammad bin Idris ash Shāfiʿī (الإمام محمد بن إدريس الشافعي)

1 The subject of the works of these four great Imāms is not so much what is to be believed (the Creed) but what is to be practised. They do not treat of the articles of faith but of the duties of the Muslim: prayer, fasting, alms-giving and the laws by which all their concerns civil and social are to be regulated. They are the great juriconsults of Islām and their sphere is jurisprudence (فقه) and practical theology on which they give the minutest details.

The Imām Abū Hanīfa was born at Kufa (80 A.H. = 700 A.D.) under the Khalīfate of Abdu l Mālīk and died at Bagdad (150 A.H.) poisoned by order of Abdu llāh II.

He is the founder of the Hanafī School (المذهب الحنفي), which was adopted by the Abbāsīde Khalīfa and other Muslim sovereigns of the East and to which the rulers of the Ottoman Empire adhere to this day and which therefore enjoys the highest authority in Turkey. His great work is entitled *الفقه الأكبر* the great work on jurisprudence.

The most celebrated of his disciples who are also considered great oracles of orthodox jurisprudence, are the Imām Abū Yūsuf (أبو يوسف) the author of the *آداب القاضي* (the duties of the judge) and the Imām Muhammad, the author of several important works the chief of which are *الجامع الكبير* and *الجامع الصغير*. The Hanafites (الحنفية) are called by Shahrastānī the men of speculation of reasoning (أصحاب الرأي) as they allowed themselves to be guided by their own judgment in distinction from the other schools, which rejected the use of private judgment and adhered more tenaciously to the dictates of Tradition. The latter therefore were called the *أهل الحديث* men of Tradition (Shahrastānī : 160, 161 Ghazālī : 18 Ibn Abidūdīn : 37-49).

The Imām ash Shāfiʿī was born at Askalon in Palestine (150 A.H.) studied at Gaza then went to Mecca, Bagdad, Egypt and died at Cairo (204 A.H.) where his tomb is still to be seen. He was a great enemy of scholastic divines and one of the great supporters of Tradition (أهل الحديث). The adherents of the Shāfiʿī rite are chiefly to be found in Arabia and Persia. His first work was the *أصول* Fundamentals containing the principles of the Muslim civil and canon law. His next literary productions were *مسند* and *السنن*, both works on traditional law. His principal disciples were the Imām Ahmad and az Zuhairī.

The Imām Mālīk Ibn Anas was born at Madīna (90 or 94 A.D. = 716 A.D.) and died there (175) under the Khalīfate of Harūn u r Rashīd. He is the

(3) The Imam Málík ibn Anas (الإمام مالك بن أنس)

author of the collection of Traditions called الموطأ His adherents (المالكية) are chiefly to be found in Barbary and the other Northern States of Africa (Ghazálí : 18 Dictionary of Islám 812)

The Imám Hanbal was born at (Baghdád 164 A.H. = 780 A.D.) and flourished during the Khalífate of Abdu lláh iii al Mamúm and Muhammad al Mu'tasim During the reign of the above Khalífs the disputes concerning the Qur'án : being eternal or created ran very high and Hanbal was severely persecuted imprisoned and scourged for refusing to adopt the Khalíf's opinion on the creation of the Qur'án The Khalíf Mutawakkil being more tolerant set the persecuted doctor at liberty and even received him at his court He had several eminent pupils, particularly Ismail al Bukhárí and Muslim ibn Dáúd (Ibn Khaldún : 372 Ghazálí : 19 Dictionary of Islám 188)

To these great Imáms some add Sufián ath Thúrí (سفيان الثوري) as of equal rank, but he had only few adherents and therefore did not become the founder of an additional school of theology or rite, and the four mentioned above maintain their rank as the four Imáms (الأئمة الأربعة) They belong to the class of مجتهد في الشرع, or مجتهد مطلق They are agreed on all fundamental doctrines of Islám and only differ on secondary questions religious rites of ceremonies and laws of jurisprudence There is between them about the same difference as between the Lutheran Calvinistic and Zwinglian schools in the Protestant Church Such differences are not however considered as defects to be regretted or injurious to the system but on the contrary as advantages and mercies as they leave more liberty to people to follow their personal opinions and inclinations in matters of duty and discipline Muhammad himself is reported to have said The differences of my people are a mercy (اختلاف أمتي رحمة)

The abovementioned four great Imáms belong to the first class of learned divines (طبقة الفقهاء الأولى) or Jurisprudents they have laid down the Foundations of the religious systems (مواعد الأصول) and belong to the class of مجتهد مطلق whose authority extends over the whole law Besides these six other classes are mentioned To the second (فقهاء الطائفة الثانية) who are مجتهد في المذهب authorities within the boundaries of the system rite they have adopted To this class belong the Imáms Abú Yúsuf and Muhammad and others They adhere to the fundamental rules laid down by their respective Imáms though they may differ from him in secondary questions

(4) The Imam Ahmad ibn Hanbal (الإمام أحمد ابن حنبل)

To the third class (معها الطيفه الثالثه) who are مجتهد في المسائل or investigators of special questions and cases belong men like Khasaf, Tahawi, Sarchasi. To the fourth class, called أصحاب الترجيح that is those who give explanations of the various meanings (وجه) belong men like Rāzi. The men of the fifth class are called أصحاب الترجيح men of comparison who weigh things against each other. To this class belong men like Abu l Hasan al Kuduri the author of the Hidaya. To the sixth class belong men like the author of the Kanz (صاحب الكنز) and the author of the Mukhtar (صاحب المختار). To the seventh class belong learned Shaikhs (علماء) chiefly the authors of lengthy Commentaries (مطولات) on the works of their predecessors like مجمع البحرين. The last two classes of men belong to what are called متقلدون or imitators.

The كتاب سؤر الاجار composed by the Shaikh Shamsu'd din Muhammad bin Abdu lla'h al Ghazzi (995 A H) is one of the most celebrated and useful books according to the Hanifi system. This work has many commentaries of which one of great celebrity is the در المختار written by Muhammad bin Alau'd-din Shaikh Ali l Haskafi (الحسكافي). A highly esteemed and much used commentary on this commentary is the Raddu l Muktar ala d Durri l Mukhtar الدر المختار على الدر المختار written by the Shaikh Muhammad Amin (ابن عابدس) of Dictionnaire of Islam 199 and 286-292).

CHAPTER II

THE DOCTRINES OF ISLĀM

The two general divisions under which Muslim doctors treat of the various subjects connected with the doctrines and practices of Islām are ¹ the theoretical or dogmatical part and the practical part. The former deals with the creed, articles of faith, called the roots, foundations of religion (أصول الدين) or 'Tauhid the Science of the Unity of the Godhead (علم التوحيد) or science of the articles of belief or dogmas (علم العقائد). ¹ It is also called the science of the word (علم الكلام). This term is chiefly used to designate scholastic theology. This part treats of all the articles of faith (علم العقائد - عقائد الإيمان - شروط الإيمان) which every true Muslim must believe. They are said to be

¹ article of faith from توحيد = to declare to be one in the action of declaring God to be one. The term is applied to dogmatics in general because the article of the Unity of God is the chief article treated therein. The term for scholastic theology is علم الكلام either because the subject of كلام is much treated of in this part or because as others say the old dogmatists used to head their disquisitions on the various dogmatical subjects with the title the investigation on the discourse (word) on such and such a subject.

(عن مباحث الكلام في كذا وكذا)

The dogmatical part is considered the roots (أصول) out of which the second part (the practical) grows which are therefore called 'branches' (فروع).

These articles of faith every Muslim must know ' in a general way (أجمالاً) but it is not required of all that they should be acquainted with the details (تفصيلاً), or proofs of the same.

all comprised in the formula of the creed (الشهادتان) There is no God but God and Muham-
 mad is the apostle of God (لا إله إلا الله و محمد رسول الله) and are the following — (1) Belief in God (2) in His
 Angels (3) in His Scriptures (4) in His Apostles, (5) in the Resurrection and the Day of Judgment (6) in God's
 absolute decree and predestination both of good and evil (أمر الله و ملائكته و كتبه و رسله و اليوم الآخر والعدل
 حذرة و سرّة من الله تعالى والنعت بعد الموت)

The second or practical part consists of precepts and commandments to be obeyed rules and customs to be observed, duties to be fulfilled¹ It is generally called 'Fiqh (علم الفقه) Science Knowledge Jurisprudence, and treats of the following subjects Prayer, Alms giving Fasting and the Pilgrimage to Mecca Some add to these, Jihad or Holy War The articles of faith to be believed and the duties to be practised are included in the formula Islām is built up on five foundations the confession that there is no God but God and that Muhammad is His Apostle the performing of Prayer the giving of Alms, the keeping of the Fast of Ramadan and the performance of the Pilgrimage where there is a possibility of doing so¹

(بى الاسلام على خمس الشهاده ان لا اله الا الله وان محمداً رسول الله و امام الملة و اجا الركاه و صوم رمضان و حج البيت من استطاع اليه سبيلاً)

¹ Sharastām says Religion (دین) may be divided into (1) Knowledge (معرفة) and (2) Obedience (طاعة) Knowledge is the root (اصل) and obedience practice is the branch He who treats of knowledge and Unity is a dogmatist (أصولی) and he who treats of obedience and the Law—(الطاعة والشريعة) is a Jurist (مروفی) The object of the roots is the

Before we proceed to treat of the several articles of faith which have to be considered in this chapter it is of importance to know what is the exact meaning of Faith¹ (إيمان) and its relation to Islām and also who is a true Muslim and who is a true Believer (مؤمن) and whether the two terms Faith and Islām, Muslim and Believer are synonymous, or whether there is a difference between them

science of the dogmas and the object of the branches is Fiqh (Sharas tání : 58) Besides these two great divisions there are others under which the various subjects connected with theoretical and practical religion may also be considered

- (1) إيمان Belief embracing the six articles of faith
- (2) آداب Morals embracing the consideration of all the virtues and moral excellencies enjoined in the Qur'án and Tradition
- (3) عبادات including acts all of devotion to God
- (4) معاملات, including such duties as are required in dealings between man and man
- (5) عقوبات, denoting the punishments instituted in the Qur'án and Traditions for various crimes and transgressions

(For details see Ibn Abid : 38 Dictionary of Islām 285)

¹ There are various opinions concerning the exact meaning of Faith Some held it to be simply belief of the heart/mind (المديق القلبى) & intellectual conviction and assent of the truth of every thing Muhammad taught concerning religion —

(1) Others say that it implies belief of the heart (mind) combined with confession of the tongue (المديق بالقلب والشهادة باللسان) without any regard to outward works This is the opinion of Abu Hanífa and a number of his disciples

(2) Others again are of opinion that faith implies belief of the heart combined with confession of the tongue and good works

مديق بالجهان وأمرار باللسان وعمل بالركان إيمان ونطق وعمل and that no one deserves to be called a Believer unless he possess these qualifications This is the opinion of most men of the earlier days of Islām the Traditionists and the Mutazila The author of the المواقف gives as many as eight different opinions on the meaning of faith with the *dicta probantia* from the Qur'án for each of these different opinions (Mawak, 593 Jowhara 42-44 Ghazali : 76, et seqq)

The orthodox doctrine on Faith, now generally accepted is that it is the belief of the heart or mind (الاعتقاد بالقلب) of the articles of the creed the intellectual conviction of the truth, quite irrespective of the confession of the tongue or the performance of good works¹ المراد بالانسان مطلق الصدق A man therefore may be a believer, though he neither confesses his faith nor

¹ The author of the Jowhara says Faith is the belief of every thing the Prophet taught as belonging necessarily to religion (تصدقى النبي لمعلم في كل ما جاء به وعلم من الدين بالضرورة) This belief implies not only intellectual conviction but belief combined with reception and approbation قبول وإدعان (Jowh. 40. Mawak 596), or else many of the infidels who knew the truth of Muhammad's being a Prophet would also be believers

Ghazālī in his discussion of the subject of Faith enumerates the following classes of believers —

(1) He who combines inner belief with outward confession and good works (Ghazālī i 76 et seqq عقد و جهادة وعمل) is a true believer and enters Paradise

(2) He who combines inner belief with outward confession and some good works عقد و جهادة وبعض الأعمال but commits one or more great sins كبيرة أو كبائر does not thereby cease to be a believer though his faith is not of the highest degree (كمال) The Mu tazila deny that such a one can be considered a believer but that nevertheless by committing deadly sins he does not become an unbeliever (كافر) but is in an intermediate state between a believer and an infidel هو على سرتة بين المرتبين An infidel is an impious person (فاسق) and goes into everlasting hell fire (هو منحد في النار)

(3) The opinions with regard to the person who combines inner belief with outward confession but has no good works are divided. Abū Tālib i Makki says Good works are part of the faith and faith cannot exist without them The Sunni doctors of Islām, however reject this opinion as absolutely false for they say that it is a truth accepted by general agreement, that a man, who believes and confesses and dies before he has done any good work is a true believer and enters Paradise that good works cannot consequently be considered as a necessary part of faith and that faith can exist without them

performs any good works but, on the contrary be an evil doer so that consequently faith and wicked works may be combined (Jowh 43) **الانمان والمعاصي يتجمعان**

This is the faith of the lowest degree, but still it is true faith and he who possesses it is a real believer. He however who combines belief with confession and good works has reached perfection (**الكمال**) in faith. Muhammad said: Faith is that thou believest in God and His angels and His Scriptures and His Apostles and the last Day and the Resurrection after death and the account and the Predestination of good and evil.

(4) He who believes in his heart but dies before he has either confessed or performed good works is nevertheless a true believer and enters into Paradise. Those who consider confession a necessary part of faith naturally consider that such a one has died without faith an opinion absolutely contrary to the Sunni dogma.

(5) He who believes in his heart and has time and opportunity of confessing and knows that it is the duty of the Muslim to do so and does not confess his faith is nevertheless a believer in the sight of God and will not be cast into everlasting hell fire for faith is the mere belief intellectual conviction and assent and this belief does not cease to exist through the want of outward confession. Such a man is a believer in the sight of God but an unbeliever in this world before the court of justice and with regard to the rights of Muslims. In case of an impediment of the tongue a sign with the hand is as good as confession with the tongue (Jowh. 42-43 Ibn Khaldun: 384) The sect of the Murji'a (**طائفة المرجعة**) go too far by saying that a believer even if he act wickedly will never enter hell fire. The orthodox doctrine on this subject is that everyone even the most perfect believer will enter hell fire for no one is free from committing some sins for which he must enter fire only infidels however will remain in it for ever.

(6) He who confesses with the tongue saying: There is no God but God and Muhammad is His apostle but does not believe it in his heart is an infidel in the sight of God and will be cast into eternal hell fire. In this world however he is to be considered and treated as a believer and a Muslim for man cannot penetrate into the secrets of the heart and the confession of the mouth must be taken to be the interpreter of the thoughts of the heart. In order however to make a man a Muslim in this world before the Law in the sight of the Qâdi, confession is necessary.

One of the questions which have been much discussed in connection with the subject of Faith is whether Faith and Islām are synonymous terms and whether every believer is consequently a Muslim¹

The author of the Jowhara mentions five degrees of faith

(1) Traditional faith إيمان عن تقليد which is accepted on the authority of a teacher or Shaikh without investigation and knowledge of the evidences It is the faith of the unlearned people التقليد للعوام

(2) Faith resting on knowledge إيمان عن علم This is the faith of the learned class أصحاب الأدلة

(3) Faith resting on inner vision إيمان عن عيان that is the seeing God with the heart the constant communion with God مراقبة القلب لله

(4) Faith resting on Truth إيمان عن حق or seeing God with the heart مشاهدة الله بالقلب

(5) Faith resting on reality إيمان عن حقيقة which is attained when the heart sees nothing but God This state of being absolutely devoted to God is called the annihilation or the being absorbed in God مقام الفناء or the state of vanishing

1 The controversy on the subject embraces the following two questions (Ghazālī: 75)

(1) Is Islām the same thing as Imān or not? (هل الإسلام هو الإيمان أو غيره)

(2) If Islām and Imān are not the same thing can they exist separately or must they necessarily be combined?

(هل يوجد الإسلام منفصل عن الإيمان يوجد دولة أو مرتبط به يقرمه) Some say that Islām and Imān are synonymous (الإيمان والإسلام هتي واحد) and that consequently every believer is a Muslim and every Muslim a believer (لا يوجد مؤمن ليس بمسلم ولا مسلم ليس بمؤمن) This is the opinion held by the orthodox School Others say that they are different and may exist separately (أنهما شيان لا يجمعان) others again say that they are distinct things but joined together

Ghazālī solves the difficulties connected with this subject in the following manner

From the linguistic point of view Imān means belief (إيماني) intellectual conviction and assent (الإيمان عبارة عن التصديق) Islām means submission subjection obedience as the following quotation shows — (الإسلام عبارة عن التسليم والاستسلام والاذعان والافتقار) The seat of Imān is the heart mind and the tongue is its interpreter Islām comprises belief

Faith is also capable of increasing and decreasing—(الإيمان يزيد وينقص), for the inner conviction concerning the truths of Islām is sometimes strong and sometimes weak. It also increases by man's obedience¹ to the will of God and decreases by his disobedience to the same (الإيمان يزيد بطاعة الإنسان وينقص بالإيمان بعض الطاعة).

Infidelity (كفر) is the contrary of faith and consists in disbelieving anything the Prophet has taught as necessarily to be believed.

(Mawak 597) عدم تصديق الرسول في بعض ما علم محله ضرورة

with the heart and confession with the tongue and good works by the members of the body and is consequently a more comprehensive term than Imán. Imán is one of the component parts of Islām and Islām therefore includes it but Imán being a more restricted term does not include Islām. From a linguistic point of view the two terms are therefore not synonymous (كل صدق سليم وليس كل سليم صدقاً). From the point of view of the Law and religion (هرج) and in a theological sense the two terms are sometimes used as being synonymous (على سبيل الترادف والتوارد) and sometimes as having different meanings (على سبيل الاعتلاف) and sometimes as being intermingled comprised in each other (على سبيل الداخل). (For proofs from the Qurán and Tradition in support of each of these definitions see Ghazālī: 75)

Imán and Islām are found united in the individual who believes in his heart and outwardly observes the precepts of Islām. Imán exists separately in the individual who only believes in his heart but neither confesses nor does good works, and Islām exists separately in him who outwardly observes the precepts of Islām without inner belief (الإيمان والاسلام يجمعان في من صدق بقلبه وأتقن بظاهرة وينفرد الإيمان في من صدق بقلبه والاسلام في من أتقن بظاهرة فقط (Jowh 44)

¹ Obedience to the will of God consists in doing what God commands, and abstaining from what He prohibits—(الطاعة فعل المأمور به). (Ghazālī: 78 Jowh. 47) With regard to the possibility of faith increasing and decreasing three classes may be distinguished.

- (1) Men and Jinns whose faith is capable of increasing and decreasing
- (2) Angels whose faith can neither increase nor decrease
- (3) Prophets, whose faith is capable of increasing but not of decreasing

No Muslim can be called an Unbeliever or Infidel even if he opposes the truth¹

The learned author of the *Sharhu l Mawaḥib* says on this subject: Mankind may be divided into two classes namely those who believe in the prophetic mission of Muhammad and those who do not believe in it. Those who do not believe in it are either such as admit the divine mission (نبوة) of other prophets that is Jews and Christians or such as do not believe in any divine mission or revelation such as the Buddhists (البراهمة) and the Atheists (الدهرية). Those who reject the prophetic mission of Muhammad are of two kinds (1) such as reject it from mere hostility and obstinacy (عن عناد) and (2) such as do so from sincere conviction after due investigation and consideration. The portion of the former will be eternal punishment that of the latter will not be eternal punishment.

¹ Among true Muslims there are such as err in fundamental doctrines they are Heretics (أهل بدعة) innovators but not infidels. As every sect of Islam agrees that infidelity means the contrary of faith there are various opinions as to the exact meaning of infidelity. Those who consider faith as consisting in the knowledge of God naturally say that infidelity consists in ignorance concerning God (الجهل بالله). Those who describe faith as obedience say that infidelity consists in disobedience to the will of God. So the Khawarij and some of the Mu'tazila sect who say that every sin is infidelity (كل معصية كفر) which however is false.

The Mu'tazila hold that there are three kinds of sins (معاصي pl معصية):

(1) Sins which are the result of ignorance concerning God and His Unity and the divine mission of His Apostle. These they consider amount to infidelity.

(2) Sins consisting in committing besides good works some deadly sins such as murder adultery etc. This class of sinners they say are not exactly infidels but belong to an intermediate class between believer and infidels (منزلة بين المنزلتين) and are called impious (فاسق).

(3) Sins consisting in smaller transgressions venial sins (معاصير pl معصية) which do not deprive a Muslim of his character of a believer and do not cause him to become an infidel.

The believer (أهل السنة) who commits a deadly sin is therefore

(1) According to the orthodox doctrine still a believer, but impious.

(2) According to the Khawarij an infidel.

(3) According to Hasan al-Bari, a hypocrite (مناقب).

In the life-time of Muhammad and the Companions¹ and then early followers in the first century of the Hira, the religion of Islam was very simple and all the religious knowledge the believers possessed consisted of the Qur'an of which some learned by heart a few verses

(1) According to the Muslim's belief he is a man in an intermediate state (See Mawāḳif 387-600)

Abū Ḥasan says After the death of Muhammad the Muslim nation became divided into many sects each one considering the others heretics and separating itself from them but Islam was common to them and united them (جمهور المستعملين والفتاوى مستعملين على الله)

لا يكفر أحد من أهل القبلة فإن الشيعية أبو الحسن فإن اعتكفوا المسلمون بعد نبيهم عليه السلام في أعقابهم على بعضهم بعضاً وتفرأ بعضهم عن بعض فصاروا فرقةً مائةين إلا أن الإسلام يجمعهم ويجمعهم (Mawāḳif 600)

According to Surah 3: 7 They indeed are infidels who say that God is the Messiah the son of Mary. Whosoever shall join other Gods with God God shall forbid him Paradise, and his abode shall be the fire. The Christians must be considered infidels though in many passages they are described as the people of the Book (أهل الكتاب) as those who possess an inspired book (الإنجيل) and thereby belong to a class standing high above idolaters and infidels.

The learned author of the *Sharḥ al-Mawāḳif* sums up his discussions on Faith and Infidelity and the many heresies of Islam by stating it as the orthodox doctrine on the subject that a Muslim though he may lead a wicked and ungodly life and entertain many opinions opposed to the commonly received doctrines of Islam may never thereby become an infidel deserving eternal fire. He only becomes an infidel (1) by denying the existence of the Almighty God (2) by associating other gods with the One only true God (3) by denying the divine mission of the Prophet (4) by denying what has been received by general agreement i.e. by declaring lawful what has been by common consent declared prohibited. However he may differ in other points, he can never be considered an infidel but only a heretic innovator (لا يكفر أحد من أهل القبلة إلا بما فيه عيب)

لما عجز القادر العليم أو عجز أو انكار للعبودية أو ما علمه الله عليه السلام به ضرورة أو المجتمع عليه كاستعمال المحرمات واما ما عجزه الله تعالى به مبدع غير مكفر (Mawāḳif 634)

others larger portions and the necessary explanations which were given by Muhammad. Neither the Qur'ān nor the sayings of Muhammad were then written down in books but were chiefly learnt by heart and communicated to others by word of mouth. Later on the Qur'ān and the Traditions were collected and written down in books and towards the end of the first century, people in some quarters had begun to speculate on the truths which had at first been simply received and believed without investigation and at the beginning of the second century a kind of theological school had already formed itself. Hasanul Basrī (حسن البصري) (110 A.H.) may be considered the founder of the same.¹

The leaven of speculation and independent thought and the application of simple philosophical principles to the primitive dogmas of Islām had by this time already worked in various directions. Dissatisfaction had been shown with the old doctrines, and the introduction of new and vivifying elements into the same were required. Wasil ibn Atā (واصل ابن عطاء) (80 A.H.) a disciple of Hasanul Basrī publicly gave expression to these feelings of dissatisfaction with the old teaching, and longing for the introduction of new elements and separating himself from his master became the founder of a new school, the free thinkers of Islām, called the Mu tazila.

¹ Hasanul Basrī lived and taught at Basra. He was the son of a freed slave of Zaid ibn Thābit the editor of the Qur'ān. His mother had been the slave of one of the wives of the Prophet. He possessed all the learning of his time and may in a certain sense be considered the founder of Scholastic theology which was more fully worked out at a later period. There were at the time at Baghdad one hundred and twenty learned doctors who lectured on dogmatical and legal subjects while there were only a few who made inward piety and spiritual religion the subject of their lectures (علم الباطن و أحوال القلوب و صفات الباطن) (Ghazālī i. 31)

(أُسْعِرُوا) or Separatists' from أُعْرِل to secede to separate oneself

The Mutazila after having had a time of success and power were finally expelled from Baghdad but continued to flourish in Persia when a blow was dealt to them there by Abul Hasanul Ash'ari (أبو الحسن الأشعري) one of their own body from which they have never recovered. With Abul Hasanul Ash'ari who adopted the scholastic

1 The story of Wāsil's separating himself from his Master and becoming the founder of the Mutazila is thus told. Al Hasan was one day seated in the Mosque at Basra when a discussion arose on the question as to whether a believer who committed a mortal sin thereby became an infidel or not. When the question was proposed to al Hasan for decision he kept silent for a moment to consider it but before he had had time to give an answer Wāsil ibn Atā rose up and said I am of opinion that a Muslim who has committed a mortal sin should be regarded neither as a believer nor as an infidel but as occupying a middle station between the two (مُرَدٌّ بَيْنَ الْمُؤْمِنِينَ). He then retired to another part of the mosque and was joined by a number of his friends to whom he explained his opinion on the subject. Katādā entering the Mosque went up to them but on becoming acquainted with the state of things he said The cause of the Seceders

The system of the Mutazila very soon spread in all directions and gained numerous disciples and was by degrees more fully worked out especially when later on the works of the Greek philosopher chiefly of Aristotle were translated and thus became accessible to the doctor of Islam. The system was then so construed as to be in harmony with the demands of sound reason and the principles of philosophy.

This theological school of the Muslim rationalists and free thinkers found no favour in the eyes of the Umayyad Khalifa who persistently discouraged and when possible persecuted its adherents. Under the reign of later Khalifs (98-132 A.H.) they were in high favour at court but were finally discouraged persecuted and suppressed. Their final blow however came not from a Khalif but by one of their own disciples al Ash'ari who seceded from them and became the bitter opponent of their system and a defender of the old system. (For the doctrines of Ash'ari see Faith of Islam pp 181-2. For failure of the Mutazila and their revival in India also see Faith of Islam pp 191-9)

methods began a new period in the Muslim science of theology. It was the beginning of a new and vigorous start and of the triumph of orthodoxy and of the decline and fall of the more liberal and rational school of the Mu'tazila. The teaching of al-Ash'ari (أبو الحسن), spread very widely and rapidly and soon gained many disciples.¹

¹ The story of Abū l-Hasan's leaving the camp of the Mu'tazila and becoming the defender of the old school of orthodoxy is thus related. Abū Aluz-Zubbar was lecturing one day to his students when Abū Hasan al-Ash'ari, one of his disciples propounded the following case to his master. There were three brothers, one of whom was a true believer, virtuous and pious, the second an infidel, a debauchee and a reprobate, and the third an infant; they all died. What became of them? Al-Jubbar answered: the virtuous brother holds a high station in Paradise, the infidel is in the depths of hell, and the child is among those who have obtained salvation. Suppose now said al-Ash'ari, that the child should wish to ascend to the place occupied by the virtuous brother, would he be allowed to do so? No, replied al-Jubbar, it would be said to him: The brother arrived at this place through his numerous works of obedience to God, and then hasten to such works to forward. Suppose then said al-Ash'ari, that the child should say: This is not my fault, you did not let me live long enough, neither did you give me the means of proving my obedience. In that case said al-Jubbar, the Almighty would say: I knew that if I allowed thee to live, thou wouldst have been disobedient and have incurred the punishment of hell. I acted therefore for thy advantage. Well said al-Ash'ari, and suppose the infidel brother were to say: O God of the universe! since Thou knewest what awaited him, Thou must have known what awaited me, why then didst Thou act for his advantage and not for mine? Al-Jubbar was silent, though very angry with his pupil, who was now convinced that the Mu'tazila dogma of man's free will was false, and that God elects some for mercy and some for punishment without any motive whatever. Disagreeing with his teacher on this point, he began to find other points of difference, and soon announced his belief that the Qur'ān was not created as the Mu'tazila pretend. This occurred on a Friday on the great Mosque at Basra. Seated on a chair, he cried out in a loud voice: They who know me know who I am, as for those who do not know me, I shall tell them. I am Abū l-Ḥasan al-Ash'ari, and I used to hold that the Qur'ān was created, that the eyes shall not see God.

Seventy three sects are said to have sprung up in Islām at different times¹ and on various subjects most of which have since disappeared. The adherents of these sects though considered as heretics or innovators are nevertheless acknowledged to be Muslims, and not infidels. The system or theology now acknowledged to be orthodox is that of the Ash'ariyya (الاسعيرة الاسعرونه)

Dogmatics (توحيد) may be divided into three parts

- (1) الهيات Theology treating of doctrines connected with the Godhead (في المسائل المتعلقة بالاله)
- (2) النبوات Doctrines connected with the prophetic office (النبوت في المسائل المتعلقة بالانبياء)

and that we ourselves are the authors of our evil deeds. Now I have returned to the truth. I renounce these opinions and take the engagement to refute the Mu tazila and expose their infamy and turpitude. He enlisted on the side of orthodox Islām all the dialectical skill of the Mu tazila and gave to the side of the orthodox the weapons of the sceptic. He then adopted the scholastic methods and started a school of thought of his own which was in the main a return to orthodoxy. He thus overthrew the liberal school and his principles and methods have ruled the greater part of the Muslim world ever since. (Faith of Islām pp 179 180)

¹ Muhammad predicted that his followers would be divided into numerous religious sects. According to a tradition recorded by Abdu llāh ibn Umar he said. Verily it will happen to my people even as it did to the children of Israel. The children of Israel were divided into seventy two sects and my people will be divided into seventy three. Every one of these sects will go to Hell except one sect. The Companions said. O Prophet, which is that? He replied. The Religion which professed by me and my Companions.

(سفرى اوسى على قلب وسبعين فرقة الناجية منها واحدة والساقون هلكى و ميل ومن الناجية قال اهل السنة والجماعة)

The chief subjects on which these sects differed from the orthodox dogmas were (1) The attributes of God and His Unity (الصفات والوحد فيها) (2) Predestination and God's justice (القدر والعدل) (3) God's promises and threats (الوعد والوعيد), (4) Revelation reason and (5) The Imamate (السمع والعقل والرسالة والامامة)

(3) السمعات, Other dogmatical subjects

(المسائل التي لا يتلقى احكامها الا من السمع)

The name by which God the one and only true God is called in the Qur'ân, is Allāh (الله), originally إِلَه with the article اَل prefixed to it¹

The doctrine concerning God His unity His essence His attributes and His works forms a very important part of the Qur'ân which speaks in many of its passages of His absolute Sovereignty and Majesty He is the Creator and Preserver of every thing that exists, the Almighty, All wise, and Omniscient²

¹ As many as thirty opinions have been started respecting the derivation and meaning of إِلَه most of them agreeing that it is not a derived but a proper name (إله - إله) Another word frequently used in the Qur'ân for God is Lord (الرب)

The title Allāh is called the essential name of the essence (اسم الذات) all other titles being considered names designating attributes of God (أسماء الصفات) They are called the excellent names (الاسماء الحسنی) Surah vi 179 Abu Huraira reports that Muhammad said Verily there are ninety nine names of God, and whosoever recites them shall enter Paradise

According to tradition God has among the many names by which He is known one called the Exalted Name (الاسم الاعظم) which is generally considered to be unknown to any but the Prophet and possibly some of the distinguished saints Some however say that it is Allāh

It is a generally received opinion that it is not allowed to call God by any other name besides those mentioned in the Qur'ân These are called fixed settled names (أسماء توقيفية) The Mu tazila and others hold that there is no objection to one's applying expressive names to God besides those mentioned in the Qur'ân (See Mawâqif 540 545 where a list is also given of the ninety nine names of God)

² It would lead us too far to quote all the verses of the Qur'ân referring to this subject It may suffice to quote a few verses, and the curious will find a fairly complete list of those passages in the Dictionary of Islam p 142 et seqq

The doctrine concerning God as it has been developed on the foundation of the Qur'an and Tradition, by the learned doctors of the Ash'ariyya School, among whom may be mentioned as chief representatives Ibn Mujahid, the Qadi Abū Bakr al-Baqlānī Abul Ma'ālī known as the Imamul Haramain Ghazālī says that the two

Verily your Lord is God, who created the heavens and the earth in six days. He created the sun and the moon and the stars subjected to laws by His commands. Is not all creation and its empire His? Sura vii. 52 Omniscient Judge of all Author Preserver of all things Sura vi. 59-64 The Mighty the Wise the Subtle Sura vi. 95 103 God everlasting self subsisting all by his sovereign will His throne embraces heaven and earth Sura ii. 256 God brings forth the living from the dead—and the dead from the living Sura iii. 25

The most important doctrine laid down by Muhammad in the Qur'an to which he refers again and again on which he insists as the great truth to be believed, and which he endeavours to prove and illustrate in a variety of ways is the doctrine of the unity of God (وحدانية الله). There is no God but God (لا إله إلا الله) is a formula said to contain the negation of false gods (نفي) and the affirmation (اثبات) of the one true God Sura ii. 158 Your God is one God there is no God but He the Merciful the Compassionate. Sura cxii called the (سورة الاعلام) the chapter of clearing oneself, &c of belief in any but the one true God, states the dogma thus —

Say He is God alone
God the eternal '
He begetteth not and He is not begotten '
And there is none like unto Him

Everything opposed to the oneness of God is strongly denounced in the Qur'an so the statues and idols (أصنام) which the pagan Arabs set up for worship are called an abomination of Satan رجس من عمل الشيطان Sura v. 92 Idols (أصنام) and their worship are spoken of with contempt and reprobation (Suras vi. 74 xiv. 38) Three hundred and sixty such idols are said to have been erected in and around the Ka bah on the day when Muhammad conquered Mecca

Some of these pagan Arab idols are called by name in the Qur'an such as Lat Uzza Manat (اللات العزى مناة) Sura lvi. 20 Wadd Suwa, Yaghuth Ya'uq Nasr (وَدَّ سَوَاعِ يَغُوثَ يَعُوقَ نَسْر) Sura lxxi. 23-4

sentences of the Confession (شهادتي التوحيد) (1) there is no God but God (2) Muhammad is the apostle of God notwithstanding their shortness comprise the doctrines of

- (1) The Essence of God (ماهيات الله)
- (2) The Attributes of God (صفات الله)

Ab al and Fāila (إساف وائل) were two idols erected on the hills Sair and Murwa (مرو و مروة) round which the pagan Arabs used to go in procession and which hills Muhammad retained as holy places to be visited during the pilgrimage to Mecca.

Another false opinion Muhammad denounced as opposed to the Unity of God is that entertained apparently by the pagan Arabs that God had taken angels as his wives or had begotten daughters. What has your Lord chosen to give you sons and shall he take for himself daughter from among the angels. Sūra xvii 42 He begetteth not and He is not begotten. Sūra cxii 3.

Another false system Muhammad denounced as irreconcilable with the Unity of the Godhead is that of ascribing to Him associates, partners, companions in His dominion (شركاء). Let them make the Jinn partners with God and in their ignorance they have falsely ascribed to Him sons and daughters. Sūra vi 100 Polytheists are therefore called Mushrikim مشركين or those who ascribe partners, associates to God.

Not only the idolatrous Arabs and pagans in general but the Jews also as well as the Christians are considered as holding opinions which militate against the Unity of God. So the Jews are accused falsely to of believing that Ezra (عزرا) is the son of God. The Jews say Ezra is a son of God and the Christians say The Messiah is a son of God. God do battle with them! How they are misguided! Sūra ix 30 31 (On this verse see Sell's Historical Development of the Qur'an S P C K p 193)

In many passages of the Qur'an Muhammad accuses the Christians also of being Polytheists, on account of their holding the doctrines of the Trinity (الثلوث) and the divine sonship of the Lord Jesus. It is evident that Muhammad was mistaken in his opinion of the doctrine of the Trinity held by Christians, which he represents as God, Jesus and the Virgin Mary and confounded it with Trithemism (See Sūras v 77 xix 36 91 94 vi 101 lxxii 3 v 116 iv 169 xxxix 6)

(3) The Works of God (اعمال الله)

(4) The Truthfulness of the Apostles (صدق الرسل)

In giving a somewhat condensed exposition of these doctrines, we make use of the following Arabic books Ghazali's إحياء علوم الدين and Shaikh Ibrahim al Lakani's جوهره التوحيد

The doctrine of the Unity (وحدانية - وحدة) of the God head is a most important dogma. God is one in his essence (nature ذات) that is not composed of parts one in his attributes (صفات) that is not having two powers, two knowledges, and so on. He is one in his works (اعمال) no other being besides God having any influence on God (دانه تعالى محال له لسائر الدواب). For proofs of the Unity of God from the Quran see Suras ii 110 111 158 160 iii 1 4 16 iv 51 52 116. Ghazali says that the doctrine of the Essence of God comprises the following points: existence of God. His existence from eternity and for ever. His being neither substance nor body nor accident. His not being tied to space, nor resting in a place. His being seen at the last day.

الركن الأول في معرفة ذات الله تعالى ومدارة علي سره اصول وهي العلم بوجوده الله وقدمه وبقائه وانه ليس بجوهر ولا جسم ولا عرض وانه سبحانه ليس محصواً بجهة ولا مستعراً على مكان وانه واحد

These various subjects are dealt with under ten different heads ¹

¹ (1) The Self existence of God (قيامه بنفسه وجود الله تعالى), must be admitted as a matter of necessity (الله واجب الوجود) for we can

not admit that there was a time when God did not exist nor that a time will come when He will not exist (Jowh 49 **إله تعالى واجب الوجود**) **إله تعالى واجب الوجود** (لا يجوز عليه العدم فلا يغفل العدم لا أزلاً ولا أبداً) For proofs from the Qur'an and reason (see Ghazālī : 68 Suras xiii 24 xvii 18 lxxii 19 30 vi 72 78) This attribute (mode of being of God) is called an essential attribute (**صفة طبيعية**) as it refers to the essence of God. It is also one of the positive attributes (**صفة موجبة**) He is self existing - (أن وجوده لذاته لا لعلّة) not by reason of some cause that called him into existence (**أن الغرض ليس موجباً في وجوده**) (Ghazālī : 68 Jowh. 49 51 Mawāqif 4, 6-479)

(2) His Eternity (**أن الله مديم أزلي مديم الله**) of old without beginning (**أول كل شيء عدم أنساح الوجود عدم أولية للوجود**) If he were not the first He would require a creator and this creator another creator. This is one of the negative attribute (**صفة سلبية**) as it negates in God an attribute which it would not be becoming to ascribe to him (**إله مانع العالم و مبدئه و باريه و محدثه و مدعه**) (Ghazālī : 68 Jowh. 49 51 Maw 474)

(3) His Eternity (**بما الله**) in the sense of his having no end (**بأن الله تعالى مع كونه أزلياً أبدياً ليس لوجوده آخر و أحد لله عدم الآخرية**) For proofs see Jowh 52 54 59 Mawāqif 474

(4) God is not a substance an element (**أن الله ليس بجوهر يمتزج**) He is not contained in space (**حيز**) Every substance comprehended in a space either rests or moves, and is consequently subject to changes and accidents (**ساكن أو متحرك في حيز**) This cannot be admitted of God. He who calls God a substance an element (**جوهر**) without meaning His being contained in space may not be mistaken in what he means thereby but he makes a mistake in employing these terms (Ghazālī : 69 Maw 474)

(5) God is not a body (**جسم**) composed of elements or parts (**أنه ليس بجسم مركب من جواهر**) (Ghazālī : 69 Maw 473)

(6) God is not an accident (**عرض**) inherent in a body or dwelling in a place (**أنه تعالى ليس بعرض قائم بجسم أو حال**) (for further explanations see Ghazālī : 69 Maw 474)

The attributes of God are known as the *Sifātullah* (صفات الله تعالى) and concerning them there are ten points¹ (هذا الزكس مدارة علي عشرة اصول)

(7) God is not restricted to certain regions (انه تعالى مسرة الداب عن الاصصاص بالجهات) He cannot be said to be on high or below on the right or left etc (Ghazālī : 69) For a full discussion of the negative qualities of God (صفات سلبية or صفات بلبسة) see *Mawāqif* 471

(8) God is sitting on His Throne (عرش) in the sense in which He means His sitting on the Throne (انه مسبو على العرس بالمعنى الذى ارادة) (Sūras xx 4 11 27 (For explanation see Ghazālī : 69, 0 Dictionary of Islām 145)

(9) God will be truly seen in the next world with the eyes and sight (انه تعالى مرعى نالا عن والابصار) Though God has no shape and cannot be seen in this world yet in the world to come the blessed will truly see him with their own eyes as it is stated in the Qur'ān The faces then resplendent will regard their Lord (Sūra lxxv 22 28) The author of *Jowhara* (p 107 112) says It is possible to see God in this world as well as in the next In this world it has been granted to Muhammad only In the future world however all believers will see him some say with the eyes only (حديق) others with the whole face (وجه) others with every part of their whole body (بكل جزء من اجزاء البدن)

(10) God is one having no partner (هريك) one single (مرد) having no equal (انه تعالى واحد لا هريك له مرد لا ند له) In proof of this doctrine the verse of the Qur'ān (Sūra xxv 22) may suffice Had there been in heaven or in earth gods besides God both surely had gone to ruin for one would have opposed the other *Jowh* 55 *Mawāqif* 475 Ghazālī : 1, 0)

(1) God is omnipotent Almighty powerful (عابا الكل قدير قادر) (Sūras ii 19 lxxv 40 iii 159 The proof of this is the wonderful mechanism of the world This attribute implies God's power to create and annihilate whatever is possible (*Jowh*, 60 62 Dictionary of Islām 145)

(2) God is omniscient (عليم عالم) He knows all things in the present (اجمالاً و تفصيلاً) the past and the future in general as well as in detail

This knowledge is not acquired (مكتسب) like that of man His knowledge comprises all things necessary possible and impossible (العلم مفد
أرئيه سئلته بجميع الواجبات والنجائزات والمسحليات على وجه الاحاطة)
(Suras vi 59 lviii 8)

(3) God is living (حي) Sūras ii 256 xxv 60 (وحياتنا ليست لذاتنا بل بسبب الروح)
(Jowh 66-67 Ghazālī: 70)

(4) God is endued with a will (مريد لانعاله مريد) will is
(مشقة إرادة) This will subsists in His essence from eternity

(إرادة الله تعالى مفد مديمه رائدة على الذات قائمة به) Sūras lxxxv 36 vi 96

xiv 4 His will is not synonymous with His omniscience or His command or His pleasure (رغى) as the Mu tazila of Baghdad pretend for God's knowledge extends to everything whether necessary possible or impossible (واجب جائز مسحيل) while His will comprehends only what is possible. As to His will being synonymous with His pleasure this is refuted by the Sunni doctrine that God wills certain things though he has no pleasure in them (الأرادة مد تتعلق بما لا يرمى به تعالى) His

will comprises everything possible good or evil (عمل الممكن الخير والشر)
The Sunni dogma that His Will is eternal refutes the opinion of the Karramiyya sect that His will had a beginning (أرادة حادثة) just as the orthodox teaching that the Will of God is an attribute added to his essence (رائدة على الذات) refutes the doctrine of some Mu tazila, who say that His will is His very essence (ان الأرادة نفس الذات) The Mu tazila also hold contrary to the orthodox dogma that the will of God does not comprise what is evil or shameful but only what is good (ان أرادة الله لا تتعلق بالسرور والقباح)

(5) God sees and hears everything (بانه تعالى سميع بصير) even the most secret thoughts of the heart Each of these attributes is eternal inherent in His essence extending to every existing thing (تتعلق بالموحودات الذوات وغيرها)

(6) God speaks by speech (انه تعالى متكلم بكلام) but His speaking is not like that of man composed of sounds and words (كلامه تعالى مفد
أرئيه نالمة بذاته ليست بحرف ولا صوت) The speech is in reality the inner speech of the soul (تكلم النفس); the outward speech is only the interpreter of the inner one The Mu tazila, on the contrary hold that the speech of God is composed of sounds and words, and is not eternal but

recent (حادث) The speech word of God is one (لا تعدد فيها) but it has according to the circumstances of the case various modes as command prohibition information promises, and threats (أمر نهي خبر وعد وعيد) God's word (كلامه) has two meanings i.e. the eternal word inherent in God's essence (الكلام النفسى القديم القائم بذاته) and the spoken word (الكلام الملقى) created by God. In this sense is to be understood the saying of Ayesha ما من دنى المصحف كلام الله what is comprised between the two covers of the Qur'án is the word of God, combining both the above mentioned meanings by participation (بالاشتراك) or truth (مجازى) of the eternal word (الكلام النفسى) figuratively (مجازى) of the spoken (or written) word. Anyhow he who denies that what is contained between the two covers of the Qur'án (written or printed) is an infidel. Though the words of the Qur'án which are read are recent it is not permitted to say that the Qur'án is recent (حادث) except for the sake of instruction such as a professor gives to his students (Jowh 67 68).

(7) The speech (word) of God is eternal (ان الكلام القائم بنفسه مديم) like all His other attributes. What is recent are the sounds and words which express it. The words of God to Moses 'Take off thy shoes from thy feet' existed from eternity in the essence of God though they were addressed to Moses in his days in words and sounds (Ghazálí : 70 72).

(8) God's omniscience (knowledge) is eternal (علمه تعالى قديم) He knew everything before it came into existence.

(9) God's will is eternal (ان ارادة الله مديمه) From eternity God willed the events that were to take place in due course according to his omniscience.

(10) God knows by knowledge lives by life is omnipotent by reason of His omnipotence wills by will speaks by speech hears by hearing sees by sight, (Ghazálí : 71) ان الله تعالى عالم بعلمه حتى بحياة مادي بقدره مرید

God's knowing cannot be separated from his knowledge. The Mu tazila in opposition to this orthodox dogma, hold that God knows lives is omnipotent wills, speaks hears sees by reason of His essence قائم بذاته حتى. (Jowh 72, 9) The glorious names of God are like His attributes eternal that is not the articulation of these names, but the meanings and men are therefore not permitted to designate God by any other names than those mentioned in the Qur'án. The Mu tazila on the contrary hold that the names of God are recent applied to God by men and that there is no objection to apply to God any appropriate name even if not mentioned in the Qur'án or Traditions. Expressions in the Qur'án or Traditions which seem to ascribe to God a body are to be

The works of God are called the *Afa'alu llāh* أعمال الله and concerning them there are ten points —¹

(الركن الثالث و مدارة علي عشرة اصول)

understood in a figurative sense, (مازىل) and to be explained in accordance with the other expressions, such as Thy Lord comes, descends (جا ينزل) to the lowest heaven God has created Adam in his image (على صورته) the face of God remains (و يبقى وجه ربك) the hand of God is above their hands (يد الله فوق ايديهم) all hearts of mankind are between two fingers of the fingers of the Merciful (بين اصبعين من اصابع الله)

(1) Everything that exists and takes place in the world is God's doing and creation He has created man and his actions

ان كل حادث في العالم هو بفعله تعالى و خلقه و اختراعه لا خالق له سواء ولا محدث له الا آياته على الخلق و منعهم و اوجد قدرتهم و حركتهم

All acts of man are created by God as the Qur'an says God has created you and what you do (Ghazali i 71 74)

(2) Though God has created the movements acts of man still he has done so in a manner that they are at the same time the acquisition of man (ان افراد سبحانه بخلق حركات العباد لا يخرجها عن كونها مقدورة للعباد على سبيل الاستسباب)

God has created the power which man possesses to act and has created the act itself (خلق القدرة والمقدور جميعا) He has created the choice and the thing chosen (For details see Ghazali i 72)

(3) Though the acts of man are his own doings, acquired by him and the result of his own choice (كسبا للعبد) still they are nevertheless willed by God (ان فعل العبد و ان كان كسبا فلا يخرج عن كونه مراد الله) Not the least thing happens in the world except by the decree and will and power of God (بمضاء الله و قدرته و ارادته و مشيئته) He decrees the good and the evil what is profitable and injurious faith and infidelity and idolatry obedience and disobedience salvation and perdition He does what He wills, and no one can alter what He has decreed or change what He has predetermined. He guides aright whom He wills and He causes to err whom He wills No one has a right to question His doings, but man will be questioned as to his doings he will have to render an account and is responsible for his acts (منه تعالى الشر والخير والنفع والضرر)

والاسلم والكفر والعرفان والمكر والطاعة والعصيان والسرك والادمان والفور
والحسرات لراثة لفائدة ولا معقب لحكمة يفل من سنا ويهدى من
يسا لا يسال عما يفعل وهم يسألون

The Qur'an says If God had willed He would have guided all men
Ghazali says that reason also proves that God must be the author of good
and evil else Satan who wills evil would be mightier than God which
cannot be admitted To the objection How can God forbid what He wills
and command what He wills not the answer is that there is a difference
between God's command and his will (Ghazali: 1 72)

(4) God's creating man and imposing on him the duties of religion is
an act of His free will and grace nothing made it incumbent on Him
(ان الله تعالى مشغل بالخلق والصراع و متطول بكلف العباد ولم يكن
The Mu tazila on the contrary pretend
that this was incumbent on God as the highest interests of man require
it (انه وجب عليه ذلك لما فيه مصلحة العباد)

(5) God has the right to require of His creatures more than they are
able to perform. This the Mu tazila deny (انه يجوز على الله سبحانه وتعالى
ان يكلف الخلق ما لا يطيقون) saying that God in accordance with His
justice, cannot require of man anything exceeding his ability (Ghazali
1 72)

(6) God has the right to inflict pain and punishment on His creatures
without any guilt on their part and without bestowing on them any
reward afterward. (ان الله ايلام الخلق و عذبهم من غير جرم سابق ومن
God is the absolute Sovereign over all His creatures and
cannot therefore be accused of acting unjustly towards them howsoever
He may deal with them, as every possessor of an object is forced to do
with his own property as he likes. The Mu tazila reject this doctrine as
contrary to God's justice To this Ghazali replies that injustice is a
man's dealing so with the property of another person but as long as he
deals so with his own property no one can accuse him of dealing with it
cruelly or unjustly (Ghazali: 1 72 73)

(7) God has the right to deal with his creatures as He wills
and is not bound to take into consideration what is best for them
Nothing can
be said to be incumbent on God His will is the sole rule for His deal-
ings He is not responsible to any one for what He does The Mu tazila on
the contrary hold that God according to His justice is bound to have
regard to what is best for the welfare of His creatures (الا ملح واجب عليه)

The learned Shaikh Sunusi¹ gives a somewhat different classification of the attributes of God

and to punish and reward them not according to His sovereign will but according to their deserts (For details see (Ghazali : 7))

(8) To know and obey God, is the duty of man not in accordance with the dictates of reason but in consequence of God's command and law (ان معرفة الله سبحانه واجبة بايجاب الله تعالى وحرمة لا بالعقل) Ghazali says in explanation of this statement that reason is not sufficient to guide man to the acquisition of the knowledge of God and the true way of obeying and pleasing him it is only the position and will of God which can do this. Obedience and disobedience are the result of Him (التسليم والانقياد الطاعة والمعصية هي حكم جباريان ان ليس له الى احد هما ميل ولا بد - من هما اسماء)

The Mu'tazil'a on the contrary ascribe a great influence to reason in guiding a man to the obedience of God

(9) There is no absurdity (impossibility) in God's sending the prophets (انه لا يسحق بعثة الانبياء عليهم السلام) Reason alone is insufficient to guide man to salvation prophets are therefore required to trust them. The proof of the prophet's divine character is his ability to perform miracles (يعرف صدق النبي بالمعجزة) (Ghazali : 74)

(10) God has sent Muhammad as the last of the prophets and thereby abolished the former laws (dispensations) of the Jews, Christians and Sabaeans and has confirmed him as to his prophetic mission by signs and miracles. (ان الله تعالى ارسل محمداً معلماً خاتماً للنبيين وناجياً)

لنا منه من مدافع اليهود والنصارى والمجانيين وآتاه بالمعجزات القاهرة والايات الباهرة In explanation of this Ghazali says "God has established Muhammad's prophetic character by miracles such as the splitting of the moon and the praising of the stones the gushing out of water from between his fingers. One of the greatest miracles proving his divine mission is the Qur'an for none of the Arabs were able to produce anything like it. Another sign of his prophetic character is his being able to foretell things which are to come to pass such as his victorious entry into Mecca the defeat of the Greek and their subsequent victories (Ghazali : 12)

¹ Sunders says The judgment of reason comprises three classes of things viz those that are (1) Necessary (الوجوب واجب) (2) Impossible (الاحتمال مستحيل) (3) Possible (الجواز جائز) Every responsible

Abū Abdu llah Muhammad Yusuf al Sunusi (about 895 A H 1489 90 A D) wrote a short treatise entitled *الرسالة في معاني كلمتي السيادة* Another treatise on the subject is called *كتاب أم الدرايين* with the commentary of the Shaikh Muhammad al Dasuki

Muslim (كل مكلف) is bound to know what it is necessary possible and impossible to ascribe to God and to His Prophet.

Attributes which must necessarily be ascribed to God are—Existence (وجود) Eternity (القدم) Permanence (البقا) being distinct from created things (وحدانيه) Self-existence (قيامه تعالى بنفسه) Unity (مجانسة تعالى للحوادث) in His essence attributes and works. Of these attributes the first essence is called an essential attribute an attribute of essence (صفة نفسية) as it refers to His essence: it is also called affirmative positive (صفة سوية) the other five are called privative negative attributes صفة سلبية There are seven attributes which must be ascribed to God called ideal attributes (صفات معروفة) which are intimately connected with the attributes just mentioned viz God's being omnipotent (عادر) willing (مريد) omniscient (متكلم) living (حي) hearing (سميع) seeing (بصير) speaking (متكلم) These are attributes which must necessarily (واجب) be ascribed to God

Attributes which it is impossible to ascribe to God (مستحيل) are those which are the contrary of those just enumerated viz non existence (العدم) coming into existence (الحدوث) vanishing in time (الفناء) similarity to created things (المماثلة للحوادث) not being self-existent (بمستحيل عليه تعالى أن لا يكون واحداً بأن عدم القيام بذاته) not being One (عدم القيام بذاته) want of power (بكون مركباً في ذاته أو يكون له معادل في ذاته أو صفاته) want of will (عدم الإرادة) ignorance (جهل) death (عدم القدرة عجز) deafness (صمم) blindness (عمى) dumbness (بكم) It is also impossible to ascribe to God the contrary of the ideal attributes

Attributes it is possible to ascribe to God are called الجائز في حقه تعالى

It is allowed to ascribe to God the doing or not doing of anything possible (جواز الجائز في حقه تعالى فعل كل شيء وتركه) Jowh. 89-92 Sunusi 4-5

Many learned doctors have deviated from the orthodox doctrine on these subjects in a variety of ways. They are the founders of separate schools and sects (فرق pl فرق) and their peculiar opinions are considered by the Sunni theologians as heresies (بدعة pl بدع) innovations (inventions). The chief among these are those mentioned below¹

The learned author of the commentary of the Jowhara sums up the above statements thus

نعلم أن الأسقفيا يسلم وجوب وجوده ودمه و هائه ومجاليته
للخواتم وقيامه بنفسه وتزججه عن المقاص ويدخل في ذلك السمع والبصر
والصائم ولوارمها وهي كونه سمياً و بصراً ومكناً فهي إحدى عشرة عقيدة
من الواجبات فإذا وجب هذه الصفات استحال امتدادها فهذه إحدى عشرة
عقيدة من المسيحيات ويلزم أيضاً وجوب فعل شيء من الممكنات
أو بركته فهذه عقيدة الجائر فجملة ما أسلموه الأسقفاء ثلث وعشرون عقيدة
وأما الانقار يسلم الحياة والقدرة والارادة والعلم ولوارمها وهي كونه حياً و
مادراً ومريداً وعالماً ويسلم أيضاً الوجدانية فهذه تسعة من عقائد الواجبات
ومضى وجب هذه الصفات استحالة امتدادها فهذه تسعة من العقائد
المسيحيات فجملة ما أسلموه الانقار ثمانى عشرة عقيدة فإذا ضممت للمائة
والعشرون السابقة كان المجموع واحداً وأربعين الواجب له تعالى منها عشرون
والمسجل عليه عشرون والجائر عليه واحد

(Jowh 119 *et seqq*) For a somewhat condensed statement on these subjects see Ghazālī's *al Maksud al Isna* translated into English in *Dictionary of Islām* pp 144 147 See also Palgrave's observations on the Muḥim doctrine of the Unity and absolute Sovereignty of God and the influence of this doctrine on the character of Muslims Faith of Islām p 111

¹ The Muṭazila (المعتزلة) who as a body entirely reject the eternal attributes of God in order as they say to avoid the distinction of persons made by the Christians and they hold that eternity is the proper attribute of God's essence (العدم أصل ومفد ذاته) that God is omniscient not by reason of His knowledge is omnipotent not by reason of His omnipotence as the Sunnis say but by reason of His essence because of these attributes shared in His eternity they would also share in His divinity and there would be a plurality of gods On account of this opinion the orthodox school call the Muṭazila the Muṭtala (المعتلة)

=divestors) They also hold that all those verses of the Qur'án which contain a comparison of God to creatures (مسيبة) must be explained allegorically (بماوئل الآيات) These are the opinions of the Mu tazila as a body There are however a number of groups which though Mu tazila have peculiar opinions In addition to these some declared God's omniscience and omnipotence to be declarative of His eternal essence (أعبر أن للذات القدسية) or states (حالات) others reduced the two into one viz omniscience (عالمية) This says Sharastání 11 32 is the very opinion of the philosophers Another branch of the Mu tazila the Hodhathíyya (الهدثية) say that God is omniscient by His omniscience and His omniscience is His essence and so with His omnipotence (مادر بقدره و مدرسه ذاته الله عالم بعلم و علمه ذاته) which opinion Sharastání says he took from the philosophers who affirm the essence of God to be simple and that His attributes are not accessory to His essence subsisting therein but are His essence itself (34 11 الصفات لسبب ورا الذات معاني قائمه بداته بل هي ذاته)

The Háitíyya (الهاطية) and the Hadathíyya (الحدثية) ascribed a divine character to Christ in conformity with opinions of the Christians who believe that he will come to judge all creatures at the last day Ahmed bin Haid believed that Christ was the eternal word incarnate and that he had assumed a true and real body They asserted the existence of two gods the one eternal the most High God and the other not eternal that is Christ (السوا حكماً من الاحكام الالهية في المسيح عليه السلام موافقة للمصاري على اعمادهم ان المسيح عليه السلام هو الذي يحاسب الخلق في الآخرة ورغم احمد بن حنبل ان المسيح تدرع بالجسد الجسماني وهو الكليم القدسية المتجسدة كما قالت المصاري)

He believed that this was the meaning of Súra lxxxix 28 thy Lord cometh with angels rank on rank (See Sharastání 11 42 Sale 114)

The Bishríyya (البشرية) hold that the Will of God was one of His works (ارادة الله تعالى فعل من افعاله) that since God is omniscient and knows what is profitable for man it is impossible to suppose that He does not will it (Sharastání 11 45 Mawáhib 622 Sale 115)

The Mushshabbíha (المشبهة) are called Assimulators As regards the verses of the Qur'án containing a comparison of God to creatures, the early Muslims had said we believe what the Qur'án and the Sunna contain and do not take our refuge in allegorical interpretation everything comes from God our Lord we believe in the evident sense thereof,

Angels (ملائكة pl ملائكة) are beings endued with subtle bodies created of light,¹ (احسام لطيفة نورانية) who neither eat nor drink in whom there is no distinction of sexes and who, therefore do not propagate their species (لا يوعون بذكورة ولا بانوثة) Their chief characteristic is complete obedience to the will of God their dwelling place, as a rule is heaven their chief work consists in praising God day and night and in executing His orders

and also in the hidden meaning we leave to God the knowledge of the true sense and we are not obliged to know it as it is not a condition of faith or an article of the Creed Some of the Mu'tazila followed the early Muslims in this way Others, however allowed a resemblance (تشبيه) between God and his creatures, supposing Him to be a figure composed of members or parts, either spiritual or corporeal (اعضا) and capable of motion Some of this sect inclined also to the opinion that the divine nature might be united with the human in the same person (Shahrastāni ii 76-77 Mawāḥib 633 Sale 120)

The Karrāmiyya (الكرامية), followers of Muhammad ibn Karrām called the Mujassima (المجسمة) corporealists) not only admitted a resemblance between God and created beings but declared God to be corporeal (الشبهة التجسيم) They are subdivided into as many as twelve different sects each holding somewhat modified ideas about the corporeality of God (For details see Shahrastāni ii. 79 Mawāḥib 633 Sale's Introduction.)

¹ The Qur'ān (Sūra ii 28-31) says that when God determined to create man he said to the angels Verily I am about to place one in my stead on earth to which they demurred He then made them ashamed by asking Adam to name all things, which they had not been able to do He then asked the angels to bow down and worship Adam which they did except Iblis who was therefore expelled from Paradise and cursed (Sūras xv 34-35 xvii 63-67) Satan tempts Adam to sin and causes him to be expelled from Paradise (Sūra xx. 115-122)

He who asserts the existence of male angels is impious he who asserts the existence of female angels is an infidel because he contradicts the Qur'ān (Sūras xliii. 18 xxi 23 xxxvii 150-159 liii 28 xvii 42) Hath

They are able to adopt a variety of beautiful forms, some live on earth. The Mutazila and others consider them superior in rank to the prophets because they are free from evil propensities. The Ash'ariyya school consider them inferior to the prophets, in accordance with the saying of the Prophet. The works God loves most are those performed under the greatest difficulties. The prophets have the evil propensities in their hearts but they fight and conquer them and are therefore superior to the angels who have no evil propensities to resist.

There are four Archangels (رؤساء الملائكة)

Jibril (جبريل) God's messenger, said to be meant by the *روح القدس* mentioned in the Qur'án called also the Angel of Revelation (ملائك الوحي) Sura ii 91 92

Mikail (ميكائيل and ميكائيل) said to have been the friend and protector of the Jews

Asrafil (أسرافيل) who will sound the trumpet at the day of resurrection

Azra'il (عزرائيل) the angel of death (ملائك الموت)¹

then your Lord preferred you for sons and taken for himself daughter from among the angels? Indeed you assuredly say a dreadful saying (Sura xlii 3)

¹ Azra'il is said to separate men's souls from their bodies and also those of the angels and all other creatures (Sura vi 93). He is said to be terrible in appearance so large that his head is high in heaven opposite the Preserved Tablet and his feet in the deepest regions under the earth to a believer however he appears in a pleasing shape. The learned Sunnis and other learned Shaikh's say that the best remedy enabling one to meet death and its anxieties and terrors which come after it without fear is to perform a prayer of two rak'as after sunset on the night of Friday and after it to read the Fátihah and the Súrati al-Jalil (xcix) fifteen times. This Súra is said to be worth half the Qur'án (Jowh 153). Of neither of the three latter Archangels is the name mentioned in the Qur'án.

Besides the Archangels there are guardian angels (ملائكة Suras vi 61 lxxxvi 4) who continually attend man and of whom each man has some say two others for to guard him in dangers and such calamities as are not decreed by God i.e. such things as are suspended (معلق) from what is absolutely decreed by God no one can save him. The Jinn also are said to have such guardian angels to protect them. As these Angels are said to succeed each other in their watch they are called the Mu'aqibat (مُعَقِّبَات) Muhammad is reported to have said that every man has ten angels (according to some traditions twenty or as many as four hundred) who have charge over him by day and by night from the first beginning of his life to the moment of his death. Angels intercede for man but their intercession is of no avail unless God is pleased to accept their intercession. They also assist a believer against infidels (Suras xxxiii 42 alim 3 im 26 viii 9 17 42 iii 11 120).

Besides these there are also Recording Angels (الكتّابون Suras xliii 80) who constantly observe and write down men's actions. Of such angels every man is said to have two one standing on the right to write down his good actions (ملك الحسنات) the other on his left to write down his bad actions (ملك السيئات) they are constantly watching (رقيب) and always present (عبد) except on certain occasions. These angels never change but remain with man till his death and then stand at his grave praising and writing down his reward if he was a believer using him to the day of the resurrection if he was an infidel. Some say that every man has four such angels who relieve each other in the morning and the evening. The good acts are said to be noted down at once but when a bad act is committed the angel of the bad actions asks the angel of good actions whether he is to write it down whereupon this one orders him to wait for the space of six hours, in the hope that the sinner may repent and ask for pardon. If within this time he does not repent his bad action is irrevocably written down. The recording of good and evil is to be understood literally i.e. that it is done on paper with pen and ink (الكتب حقيقة بأل و قلم و مداد). Some however understand it figuratively. As to the place where these angels abide opinions differ. Some say that they stand on the last molar teeth (سراسر pl سراسر) right and left others on the shoulders. They are called in the Quran كرام كاتبين (Suras lxxxi 11 12) exalted writers.

Another class of angels are the Throne Bearers (حملة العرش) who are said to be at present four but will on the day of resurrection be strengthened by an additional four who will then bear the Throne of God above them. Above them on that day shall eight bear the Throne of the Lord (Suras lxx 7 xl 7).

Besides angels and devils a distinct order of creatures is said to exist whose nature places them between man and angels They are called Jinn¹ (جن Genii) They

Another kind of Angels are the Cherubim (الكروبيين) who surround the throne.

Ridwán (ردوان) is the Angel in charge of heaven the treasurer keeper or guardian of Paradise (عازن الجنة)

Málik (مالك) is said to preside over Hell and superintend the torments of the damned (عازن النار Súra xlii 77) And the inhabitants of hell shall say O Málik would that thy Lord would make an end of us (Súra lxxiv 30 31)

Munkar and Nakir (منكر نكير) are two fierce looking angels who visit every man in his grave, and who immediately after the return of the funeral party from the burial are said to examine the dead person as to his or her belief in God and Muhammad and to torment him, if his answer is not satisfactory

As to the sinlessness of angels (عصمة immunity exemption from sin) the orthodox doctrine is that angels are free from sin (معصوم) Some how eve reject this idea on account of their having remonstrated with God on His creating Adam which is a sin To this objection the Sunnis reply that the angels did not withstand God but only wished for an expiation

As to the superiority or inferiority of angels to the prophets the prevalent opinion is that prophets stand higher in rank than angels On both these subjects the author of the Mawáqif says that every one is at liberty to hold whatever opinion commends itself to his own mind

The Devil is called Iblis (ابليس) and also Shaitán (الشيطان), and is said to have been created of fire His name was originally Azázil (عزازيل) and he belonged to a class of angels and according to the Qur'án was expelled from Paradise and stoned (رجم)

¹ جن (from جن to conceal to hide) are so called because they are hidden from men We created man of dried clay and the Jinn had been before created of subtle fire (Súra xv 26 27) They eat drink and propagate their species and are subject to death They are considered to be like men capable of future salvation and damnation wherefore Muhammad pretended to have been sent for the conversion of the Jinn as well as of men (Súras lxxii 1 17 xv 27) The Jinn are said to listen to what is going on behind the curtain in heaven which

were created of fire some thousand years before Adam came into existence. There are good ones and evil ones, believers and infidels among them.

Every Muslim is bound to believe in the divinely inspired¹ Books which God has sent down from time to

hides the presence of the most High in order to steal God's secrets and so the good angels are said to throw stones at them (i.e. stars) wherefore they are also called the stoned ones (رجم from رجم, to throw stones).

at رجم shooting stars. Sûras lv 14 l 6 xi 120 xlv 28-29 l 39 41 xv 16 17 18 xxxviii 78 lxxv 5) See Baidâwî's Commentary on these passages. The Jinn are said to be divided into five distinct orders.

(1) Jânn (جان) Sura xv 27 (2) Jinn (جن) (3) Shaitân (شیطان) (4) Ifrît (عِفْرِيت pl عِفْرِيت) (5) Mârid (مارد) The terms Jinn and Jânn are often used to designate the whole species good and bad. The weakest among them are the Jânn, the strongest the Mârid. Their chief abode is said to be the mountains of Qâf, which are supposed to encircle the world.

See Bukhârî's Commentary v 291 Sprenger ii 298 Dictionary of Islâm pp 133 138 Faith of Islâm 199 206

Muhammad and his followers have evidently borrowed from the Jews the whole doctrine concerning angels, devils and Jinn. The Jews in their turn learned the greater part from the Persians. Thus the Talmud teaches that angels were created of fire and that they have various offices: that they attend on man that the Jinn are an intermediate order between angels and men that they know what is to happen in the future because they listen to what is going on behind the curtain to steal God's secrets (See Geiger's Judaism and Islâm 62 64 Sumpkin Marshall London Tisdall's Sources of the Qur'ân 84)

¹ Inspiration is called Wahî (وحى) The number of such inspired books (كتب مصحف) is said to have been one hundred and four. Of these ten are believed to have been given to Adam, fifty to Seth, thirty to Idris (Enoch), ten to Abraham. The other four, the Pentateuch, the Psalms, the Gospel and the Qur'ân were revealed successively to Moses, David, Jesus and Muhammad, who is now the last, the seal of the prophets (خاتم الانبيا). These revelations are now closed and no more are to be expected. All these divine books except the four last are believed to be now entirely lost and their contents unknown. As regards the Pentateuch, the Psalms and the Gospel, the learned doctors of Islâm pretend that they have undergone so many alterations and corruptions that no credit is to be given to the present copies in the hands of the Jews and Christians.

time to men through his apostles We believe in God and what has been revealed to Abraham and Ishmael and Isaac and Jacob and the tribes and what was brought

The Suhuf (صُفُوف pl of صُفُوف) small books sheets pamphlets given to the ancient prophets are often mentioned in the Qur'án (Súras lxxvii 18 19 lxi 36-40 xxxii 23 25 xiv 15 16) (For a list of the passages of the Qur'án referring to these books and especially to the Old and New Testaments see Sir William Muir's The Coran and the testimony it bears to the Holy Scriptures and also Dictionary of Islám pp 440-448)

The Pentateuch (التوراة) is thus referred to — And verily we gave Moses the Book wherefore be not in doubt as to the reception thereof and we made it a direction to the Israelites (Súras xxxii 23 xli 45 xlv 15) In Súra xxxvii 117 the Thorah is called الكتاب المبين the perspicuous book (Súra vi 91 155) Then we gave Moses the book complete as to whatever is excellent and an explanation of every matter and a direction and a mercy (Súras xl 56 xxv 37) The following Old Testament characters are mentioned by name in the Qur'án Adam Abel Cain Abraham, Aaron Therah Korah David Goliath Enoch Elias Elijah Ezra Gog Magog Isaac Ishmael Jacob Joseph Job Jonah Joshua Lot Moses, Noah Pharaoh Solomon Saul The following incidents of the Old Testament are some of those related in the Qur'án with more or less correctness

Creation of the world (Súras xvi 3 xii 3 xxxv 1 12) Adam his fall (Súras vii 18 ii 84) Cain and Abel (Súra v 30) Deluge (Súras liv 9 lxi 11 xi 42) Noah's Ark (Súra xi 40) Abraham visited by Angels (Súras xl 72 xv 51) Abraham ready to sacrifice his son (Súra xxxvii 101) Jacob goes to Egypt (Súra xii 100) Joseph's history (Súras vi 84 xii 1 vi 36) Moses strikes the rock (Súra vii 160) Pharaoh (Súras ii 46 x 76 xliii 45 xl 38) Manna and quails (Súras vii 160 xx 82) Aaron makes a calf (Súras xx 90) Korah (Súras xxviii 76 xliii 45 xl 38) David's praise of God (Súra xxxiv 10) Solomon's Judgment (Súra xxi 78) Queen of Sheba (Súra xxvii 22) Jonah and the fish (Súras vi 86 x 98 xxxvii 139 lxviii 48)

The Psalms (الزُّبُور) from زمر to write read recite) are a writing a book And to David we gave the Psalms (Súras iv 116 xvii 57) And now since the exhortation was given have we written in the Psalms that my servants the righteous shall inherit the earth (Súra xxi 105 see Psalms, xxxvii 29) It may here be mentioned that this is the only direct quotation from either the Old or New Testament in the whole of the Qur'án. The history of David is referred to in Súras ii 252 xxxviii 20-24 xxi 79-80 v 82 xxxiv 10 12

unto the prophets from their Lord and we will not distinguish between any of them and unto him are we resigned (Súra ii 130)

The Gospel is called the Injil (الإنجيل) The word الإنجيل occurs twelve times in the Qur'án but is only used in the later Súras. Who follow the apostle the illiterate prophet whom they find written down with them in the Thorah and the Injil (Súra vii 156). See also Súra iii. 2 iii 43 58 lvi 27 xlviii 29 ix 113 v 51 70. Then let the people of the Gospel judge by what is revealed therein. Ye rest on nought until ye observe the Thorah and the Gospel and that which has been sent down from your Lord. Súra v 2. In Súra ix 6 Muhammad refers to the promise of the Lord Jesus that He would send the Paraclete (الروح) mentioned in the New Testament John xvi. (See Faith of Islám 18)

The Qur'án contains far more of the histories of the Old than of the New Testament. It contains however the history of the birth of John the Baptist and of Christ of the miracles, the death (but not on the cross) and the ascension to heaven. It is to be observed that the references to the Injil as a divine revelation are to be found in the later i. e. the Madína Súras. (For details see Dictionary of Islám the article Injil pp 211 212)

Jews and Christians have been accused by Muhammad and his followers of having changed and of altering their Scriptures (Súra iv 48 v 16 iii 72). The learned doctors of Islám say that *tahrif* (تحريف) means the changing or turning aside from the truth and that it may be effected in two ways (1) by changing the meaning (تحريف معنوي) or (2) by altering the words of the text (تحريف لفظي). On careful comparison of the passages of the Qur'án which accuse the Jews and Christians of corrupting their scriptures it becomes clear that Muhammad did not mean to accuse them of having changed and corrupted the text of their holy books but of having misunderstood and misinterpreted and concealed (كسوا) certain passages which he thought contained prophecies confirming his divine mission. This is also the opinion of men of high authority on Muslim lore. Bukhari records that Ibn Abbás said that there is no man who could corrupt a single word of what proceeded from God so that the Jews and Christians could corrupt only by misrepresenting the meaning of the words of God.

The Qur'án given to Muhammad is considered to be the most excellent and complete of all divinely inspired books. The essential word of God (الكلام الالهي) contained therein is held by the orthodox school to be

As human reason is not sufficient to guide man to the knowledge of the Truth God has from time to time sent his servants the Prophets (أنبياء pl نبي) and Apostles¹

eternal uncreated (غير مخلوق) the letters and words however written down or read by men (الكلام المنطوق) are created but even in this sense it is considered unbecoming to speak of the Qur'án as created. The creation or non creation of the Qur'án (خلق القرآن) was a highly disputed question chiefly during the reigns of the Khalif al Mamun and al Mutasim (211 227 A H) and some of the most famous doctors of Islám were severely persecuted for holding the doctrine of the non creation of the Qur'án (See Faith of Islám 183 191). The Mutazila in opposition to the Sunni doctrine hold the doctrine of the creation of the Qur'án (Shahrastáni ii 30).

The Qur'án is believed to have been written (created by God) on the Preserved Tablet (اللوحي المحفوظ) then brought down in sheets (صحاف) to the lowest heaven on the night of al Qadr where they were preserved in a place called the House of Glory (بيت العزة) whence they were brought to Muhammad according to the requirements of the case. Some think only the meaning was revealed and that Gabriel and Muhammad clothed them in their own words but the commonly received opinion is that both the meaning and the words were revealed (المنزل المعنى واللفظ).

ان الله خلق القرآن آتياً في اللوح المحفوظ ثم انزله في صحاف الى السما الدنيا في محل يقال له بيت العزة في ليلة القدر ثم انزله على النبي صلى الله عليه وسلم
بحسب الوقائع 89 Jowh

With regard to the inimitability (اعجاز) of the Qur'án the Nozámíyya dissent from the orthodox opinion by saying that the Arabs would certainly have been able to produce a Sura equal to the Súras of the Qur'án in eloquence style and elegance if God had not prevented them from attempting it by peculiar circumstances and that the excellency of the Qur'án consisted in what it relates of the past and the future.

¹ The sending of prophets is something that may reasonably be expected but it is not as some sects pretend incumbent on God to send them his having sent them is an act of free grace.

(ارسل جميع المرسل من الجائر العقل في حق تعالى ارسله الرسل من محض فضله)

Philosophers pretend that this is incumbent on God as promoting the spiritual and temporal welfare of man.

(رسل pl رسل) in order to guide and teach men and it is the duty of every Muslim firmly to believe in God's having sent such divinely commissioned messengers

The number of prophets or apostles God has sent is said according to a saying of Muhammad to have amounted to one hundred and twenty four thousand some say two hundred and forty thousand and others again one hundred thousand of these three hundred and thirteen are said to have been apostles with special missions and dispensations and Books while the others were merely prophets i.e. men divinely guided and inspired but having only a general commission to teach and guide their fellowmen for a prophet, according to Muslim divines is a man inspired by God but not sent with a special dispensation (خروجة) nor a special Book while an apostle is one with a distinct message (رسالة) and a special Book Such were Moses Jesus Muhammad According to this definition all apostles are at the same time prophets, but not all prophets are apostles The commentator of the Jowhara gives the following definition of a Prophet

(النبي انسان ذكر حر من بني آدم سلم عن مقر طبعا أوحى اليه بمرع يعمل به وإن لم يؤمر بسلوكه)

The office of a prophet is the free gift of God (خصيصة من الله فعل الله) It cannot be acquired by any acts of man however excellent such as seclusion or an ascetic life entirely devoted to the worship of God (البوة لتسب مكتسبة) The philosophers pretend that man may reach this high rank by which the Sunnis say they accuse the Qur'an of telling falsehoods for it calls Muhammad the last of the prophets and Muhammad said There will be no prophet after me (لأنبي بعدى)

As regards the characteristics of the prophetic office we must consider

- (1) What must necessarily be ascribed to prophets
(ما يجب في حق النبي) -
- (2) What it is impossible to ascribe to them
(ما يستحيل في حق النبي) -
- (3) What it is allowable to ascribe to them
(ما يجوز في حق النبي) -

The qualifications which must necessarily be ascribed to a prophet and which he must possess are the following four

Faithfulness (أمانة), i.e., he must outwardly and inwardly be preserved from the commission of any sinful act

Inwardly a prophet must be free from envy pride and hypocrisy As to his total freedom from sin before his assumption of the prophetic office the majority admit that he may then commit small as well as great sins (لا يمسح أن يمدحهم كبيرة) The author of the *Mawāqif* says

We Sunnites hold that prophets after the assumption of the prophetic character (بعد الوحي) are absolutely preserved from committing great sins and from committing small sins intentionally (هم معصومون عن الكبائر)

(For further details on the infallibility of prophets see *Mawāqif* 568 *et seqq* Faith of Islām 216 19) The Qur'ān mentions several cases of prophets committing sins such as of Adam (Sūra ii 29-37) Noah (Sūras xi 49 lxx 29) Abraham (Sura xxvi 80 82) Moses (Suras xxviii 15-16) In Sūra xl 57 Muhammad is commanded to ask for pardon for his sin (Sūra xlviii 2) God is spoken of as pardoning his former and later sins Tradition reports that Muhammad used to say

I ask be Almighty for pardon and repent unto him three times a day (إني أسعفر الله وأتوب إليه اليوم سبعين مرة) see Ghazālī : 190 191) The biographers of Muhammad also mention acts of his which are sinful

This contradiction between the teaching of the Qur'ān and that of the theologians is a difficulty In order to explain it Muslim divines say that what would be disobedience and sin in other men is not to be considered as sin in the prophets that Adam's disobedience in eating of the forbidden fruit was a sin but not like other sins (معصية لا كالمعاصي), that what was forbidden to him outwardly was commanded to him inwardly (مهيئ ظاهراً)

مهيئ باطناً and that there was a secret understanding between him and his Lord which we do not know All such sinful acts and disobedience in prophets must therefore be explained so as to leave their character untouched by sin nor is it becoming to mention or refer to their having committed illicit acts, except when circumstances necessarily require it Muhammad's confessing his sins is explained to be an act of humility done in order to be an example to his followers

Truthfulness (صدق) or their speaking the truth in accordance with the real state of the case or at all events in accordance with what they believe to be the truth (مدتهم في دعوى الرسالة والأحكام الشرعية) (Jowh 114 115) For an explanation of Muhammad's having once recited a verse the devil had suggested to him, viz the verse of the غرائب see *Mawāqif* 573.

Intelligence sagacity (عظامة) enabling them to silence the objections of the opponents and to defend the truth by sound and convincing arguments apostles must possess this quality in a still higher degree than prophets (الرسول الراجب لهم كمال العقلية)

Delivery of the message (يبلغهم لما أتوا) that is to deliver (يبلغ) to those to whom they are sent the messages God charges them to deliver and on no account to conceal (كتم) them. This of course does not include messages they are charged to conceal or with regard to which they are at liberty either to publish or withhold
(Jowh 115 116) ما أمروا بكتمانها وما خبئوا فيها

It is impossible to ascribe to prophets (ما يستحيل في حق الأنبياء) attributes opposed to those which have been mentioned as necessarily belonging to the prophetic office such as unfaithfulness (خيانة) falseness mendaciousness (كذب) want of intelligence dullness (غفلة) concealing the message (كتمان) A prophet as a rule, must be a male not a female free not a slave, free from repulsive diseases and defects (سليم من منقَر) taken from mankind not from angels or Jinn or animals
(Jowh 9) Mariam Eve and Sarah are admitted by some to the list of prophets (ما كانت سواها من أنبياء ولا عبد وشخص ذو نفع)

It is permitted to ascribe to prophets the power of eating fasting sleeping walking, marrying or abstaining from marriage and the state of health or sickness The leprosy of Job was not a repulsive disease, as it did not appear on the surface but was hidden between the skin and the bone The blindness of Jacob consisted merely in a film over the eye which was removed when he received the glad tidings of his son Joseph (Jowh 9 10, 116 117)

Neglect or omission (سهو) with regard to the verbal messages they were commissioned to deliver may not be ascribed to prophets before they have delivered them

Forgetfulness oblivion (نسيان) may not be ascribed to a prophet before he has delivered the message after it he may forget it (Jowh 117 118) God has given the prophets and apostles the power to perform miracles &c the doing of things contrary to custom (امور عارضة للعادة) in proof of their prophetic mission and the truthfulness in what they deliver to men as a divine message (الله تعالى أيدهم بالمعجزات حيث ألهما على أيديهم تصديقاً في دعوى النبوة والرسالة وفيما يلقوه من الله تعالى لأنها نازلة من ربه) One single miracle is considered sufficient to prove the prophetic character of him who performs it (المعجزة أمر يظهر بخلاف العادة على يد مدعى النبوة عند تمتي المنكرين على وجه يعجز المنكرين عن الإنكار بمثلها)

The characteristics of a true miracle are the following seven —

(1) It must consist in a word or a deed or the relinquishing of an act (أن يكون قولاً أو فعلاً أو تركاً) Examples of these are the Quran—the coming forth of water between the fingers—the fire not burning Abraham (See Mawāqif 547)

(2) It must be contrary to custom (أن يكون عارضاً للعادة)

(3) It must be performed by a person claiming the prophetic or apostolic office (أن يكون على يد مدعى النبوة أو الرسالة) This distinguishes miracles (معجزة) from unusual acts performed by men of uncommon piety (عبد ظاهر الصلاح) which are called كرامة and from what happens sometimes to common men (عوام) in deliverance from great calamities which extraordinary thing is called معونة help and from what may also be produced by a wicked man (فاسق), which is called اسدراج also from what may be wrought by him with the assistance of the devil which is called اهانة, contempt shame

(4) It must be performed during the assumption of the prophetic office or, at all events only a short time before the same

(أن يكون معجزة بدعوى النبوة والرسالة حقيقة أو حكماً) Miraculous works performed by or in favour of a prophet long before he has assumed the prophetic office are not called معجزة but ارهاص (v to lay the foundations) They are signs preceding a prophetic call laying the foundation of the same Such is said to have been the cloud which appeared over the head of Muhammad years before his assumption of the prophetic office With regard to the miracles performed by Jesus when he was a child (Suras xix 30-32 in 43) long before his assumption of the prophetic character the Qādi says that these may nevertheless be considered معجرات because Jesus was a prophet even when a babe for he said And God made me a prophet (جعلني نبياً), and there is nothing impossible in God's having created in him all the qualifications of a prophet even when he was yet a child (Mawāqif 548)

(5) It must be in accordance with what the prophet pretends to do (أن تكون موافقة للدعوى) If he should pretend to divide the sea and instead of this the mountain were to be divided this would not be a true miracle

(6) It must not declare him who assumes the prophetic office to be a deceiver and liar (أن لا يكون مكذّباً له) If he were to declare that a dumb animal should speak and the animal really spoke but called him a deceiver this would be a proof of his being a false prophet If he were to ask a dead man to rise and speak and the man did so but

declared him to be a deceiver this would not be a conclusive proof of his being a false prophet for the men risen from the dead might be an infidel and purposely chosen to reject the prophet's divine commission

(7) It must be such that it is impossible to contradict deny or imitate it (ان تعترف معارضها) Things done by means of sorcery (سحر) or leger demain (معدنه) or conjuring are therefore not miracles (See Mawāqif chapter كيفية حصول المعجزات and chapter كيفية دلائلها)

It is remarkable that though Muhammad repeatedly and distinctly declared that God had not given him the power to perform miracles and that he had not performed any miracles (Sūras xvii 16-22 109 112 xxix 49 50 xviii 110) the learned doctors of Islām insist on ascribing to him a number of miracles and declare that he who denies the genuineness of such of his miracles as rest on the testimony of an unimpeached chain of witnesses is an infidel (اعلم ان ما كان منها بالمعجزات)

معلومنا بالقمع مقولاً بالسوانر كالقرآن كفر منكراً فان أشهر كنعج الماء
هن اصابعه ملعم مسقى منكراً وان سب بطرق صحيح او حسن عزز منكراً
(Jowh 131)

The greatest miracle mentioned by Muslims as confirming Muhammad's prophetic office is the Q'uran. It is called the standing miracle (آية الائمة) Sūra xvii 190 Jowh 33 134 Mawāqif 567 568) Other miracles mentioned are the so-called splitting of the moon (انقسام القمر) Sūra lix 1 2) the pebbles praising God the night journey (معراج) Sūra xvii 1) He who denies the truth of this miracle is an infidel (For more details see Jowh 133-134 Mawāqif 563 Dictionary of Islam 351 Faith of Islām 218) Among the miracles mentioned is also his having been predicted in the Torah and the Injil as a true prophet (Mawāqif 565) There are various sects of Muslims which deny the reality of these miracles or the possibility of miracles (For a detailed account of their opinions and a refutation of the same see Mawāqif 550 557)

The highest in rank among the prophets and apostles is said to be Muhammad who is considered not only the greatest prophet but the most excellent among all created things (افضل الخلق على الإطلاق) Then comes Abraham then Moses, then Jesus. These four are distinguished by the title أولو العزم possessors of constancy (Sūras xli 34) After these in rank come the apostles (الرسل) and then the other prophets. The following six prophets are said to have brought new dispensations and new law (شريعة) Adam (معي الله) Noah (نبي الله) Abraham (عليل الله), Moses (كليم الله) Jesus (روح الله), Muhammad

Immediately in rank after the prophets and apostles come the Companions¹ of Muhammad (صحابه النبي) who are considered to be the most excellent men after Muhammad after these come the followers (التابعين) after these in rank come the followers of the followers (التابعون) after these the Khalifs (الخلفاء) after these the Khalifs (الخلفاء)

(رسول الله) The dispensation of Muhammad is considered to have superseded all previous dispensations and to be superseded by none Muhammad is considered to have received a general mission to all nations (فرعه لا يسع بغيره وسجدة لسرع غير رفع حشا يعوهم بعده محمد) Muhammad's spirit is said to have been created before all others and then sent to them to make them acquainted with his apostleship and divine mission He was sent to all men including himself Though Jesus will come down at the last day to judge it is believed that He will judge according to the law of Muhammad and as a follower of his law (Jowh 128) All prophets are believed in their previous existence (as spirits) to have declared their submission to Muhammad and to have been in this world merely his representatives (نوابه) It is difficult to reconcile this classification with the teaching of the Quran and the sayings of Muhammad which declare that there is no distinction between the apostles, (Suras ii 285 v 130 iii 78) Muhammad said Do not give me the preference over Moses (لا تفضلوني على موسى) For a detailed description of the life of Moses as given in the Quran see Dictionary of Islam pp 356 366 taken from Lane's selections (For the Muslim opinion of Jesus His sonship and death see Suras xix 35 36 iii 52 lvi 7 65 ix 30 iii 72 73 v 19 76 79 iv 160 v 116-117 For details see Dictionary of Islam 220 235)

¹ Muhammad said God has chosen my Companions before all the worlds with the exception of the prophets and the apostles The followers are those who lived and had intercourse with the Companions even if but for a short time The Khalif is a representative a successor of the Prophet a substitute Muhammad is reported to have said The Khalifate after me will last thirty years then will come a tyrannical monarchy (Jowh 186) (الخلافة بعدى ثلاثون سنة ثم يصير ملكاً عسواً)

The Khalifa who were at the same time Companion were Abu Bakr Umar Uthmān and Ali who together reigned twenty nine years six months and four days Mu'awiya is reported to have said I am the first king (Jowh 137) After these come in rank the following six men to whom Paradise was expressly promised Talha Zuhair Abdur Rahmān bin Auf Sa'd bin Abi Wakkās Sa'd bin Zaid Alu Ubayda To these Muhammad had expressly promised Paradise by saying Abu Bakr is in Paradise Umar is in Paradise (Jowh 138) After them come the men who fought at the battle of Badr three hundred and seventeen fighting men after them those who fought at the battle of Uhud three hundred men of whose seventy were martyrs After these in rank come the covenanters (أهل بيعة الرضوان) i.e. the fourteen hundred men who accompanied Muhammad on his pilgrimage to Mecca, six years after his flight from Mecca to Madina and made a covenant with him (ببيعة) that they would stand by him against the hostile Meccans They are praised in the Qur'an (Suraxliiii 16 Jowh 140 141 142 11) After these in rank come the four great Imams the guides of the Muslim nation (هداة الأمة) the Imāms Mālik Shāfi' Abū Hanifa Ahmad ibn Hanbal To this class of great doctors belong also Sufian ath Thauri Abū Hasanul Ash'ari (For details see Jowh 143 144) Mālik and the three other Imāms are the teachers and guides of the nation in the branches (فروع i.e. Fikh or practical part jurisprudence) the Imām al Ash'ari and those of his kind in the Roots (أصول i.e. the articles of faith the creed العقائد الدينية) and al Zuna'id and those like him in Sūfism

It is the duty of every Muslim who has not reached the degree of knowledge which constitutes him a Mujtahid (المجهد المطلق) to follow one of the great Imāms in what they have laid down as the law with regard to practice (واجب التقليد في الأحكام الفروعية) He who has become a Mujtahid need not do so (يحرم عليه التقليد Jowh 144 145)

A Wali or saint (أوليا pl ولى) is a believer who is distinguished by great piety and asceticism He is not considered exempt from sin but if he transgresses he repents at once He is called a ولى (from ولى to possess he is in charge of a thing) because God takes charge of his concerns (لأن الله تولى أمره) and also because he himself only cares for the worship of God (يعولاه) He is able to do things contrary to custom and such acts are called beneficence Such miracles do not appear in his life time but after his death Such a saint if no miracles appear through him is not a true Wali (for further details see Jowh 145 146)

Prayer, supplication, intercession petition (الدعاء لعلان) as well as imprecation, (الدعاء على فلان) profit and injure respectively both the living and the dead, even when proceeding from an infidel¹

¹ Prayer and supplication are said to be of use against all calamities whether they be decreed by God absolutely (مما مسم) or only conditionally (مما معلق). With regard to what God has decreed only conditionally there is no difficulty in believing that He will in answer to the supplications of His servants not send it down. As regards such calamities which He has irrevocably decreed it is believed that He may lessen them so if He has decreed that a large rock shall fall down upon men He may in answer to their supplication cause it to be broken up into small pieces like sand in order that it may not hurt them. The Quran commands men to make supplications (Suras xl 62 ii 18^o Jowh 147)

Such supplications however in order to be efficient must be in accordance with certain conditions i.e. the person who offers them must have the following qualifications (1) (ان للدعاء شروطا) (1) he must live on what he has honestly acquired (أكل الحلال) (2) he must call on God with firm confidence i.e. His help (بالاجابة) (3) his heart must not be distracted (لا يكون منك غافلا) (4) he must not ask what is wrong or what may injure his relatives or any Muslim (5) he must not ask for things impossible (ان يدعو بمحال)

The following rules are to be observed when offering supplications and intercessions (1) to choose the proper time (ان سحر الأوقات العامة) (2) before offering such petitions to perform the ablution and canonical prayers to turn to the Qibla lift up the hands towards heaven confess sins repent praise God and ask for blessings on the Prophet at the beginning the middle and the conclusion (Jowh 141) God's answer to such petitions may be given in a variety of ways and at different times but under all circumstances man obtaining what he asks for is subordinate to His will

It may be useful here to mention that دعا is used for (Jowh 148) private prayer in which a person is allowed to use his own words while صلاة is only used of the stated liturgical form of prayer the appointed prayer service (For further details on the subject and specimens of petitions offered by Muhammad for forgiveness of sins of Avesha Fátima Abu Bakr Abraham Jesus Adam Ali and others see Chazali: 182 197 A specimen of imprecation is found in Surah 111)

The Qur'án, in many passages gives a minute description of Death¹ the Resurrection the last Judgment Paradise and Hell (البعث الجسر المعاد) It may suffice here to refer to the following Súras lxxv lxxxi 1 19 lxxxii lxxxiii 4-20 lxxxiv 1 19 to a later period belong the following verses Súra xxi 1 7 Death (الموت) is the lot of every man Súra iii 182

كُلُّ نَفْسٍ ذَائِعَةُ الْمَوْتِ

¹ Death takes place when men have reached the age which God has appointed for them (عند فراغ الأجل المقدرة) He respites them up to a fixed time and when that is come they cannot put it off one single hour nor can they bring it on sooner (Súra xvi 68) Learned men differ as to whether death is a positive or negative thing Al Ash'ari defends the former opinion arguing that it is a positive really existing state or qualification (كشفة أو مفعلة وجودية), while others like al Asfaráini Zamakhshari hold the second opinion saying that death is the want of life (عدم الحصة) Al Ash'ari appeals in support of his opinion to the verse of the Qur'án God the highest who has created life and death and to certain traditions such as God has created death in the shape of a ram (بصورة كبش) every one before whom it passes will surely die This doctrine refutes the opinion of the Atheist that man appears and disappears in the course of nature The word يحيى means quickening, or vivifying (تروم البعث)

The term حشر is collecting congregating (يوم الحشر) the day of congregating the dead The word المعاد means returning from death unto life These are synonymous terms for the Last Day

Ghazali says When God Almighty let His hands pass over the back of Adam and gathered men into His two hands He placed some of them in His right hand and the others in His left then he opened both His hands before Adam and Adam looked at them and saw them like imperceptible atoms. Then God said These are destined for Paradise and these are destined for hell fire He then asked them 'Am I not your Lord?' and they replied Certainly we testify that Thou art our Lord God then asked Adam and the angels to be witnesses after this God replaced them into the loins of Adam (مأب) They were at that time purely spiritual beings without bodies. He then caused them

When the hour is come for man to die, Izrá'il the Angel of death, appears with his assistants (أعوان) these draw out the spirit up to the throat¹ (حنجرة), when it is pierced by a poisonous lance which detaches it completely from the body ' Izrá'il then seizes it

Sura xxxii 11 (سوما كم ملك الموت الذي وكل بكم)

Immediately after the burial two large black livid angels visit dead men in their grave whether they were infidels hypocrites or believers These angels are called Munkar and Nakir² (مكبر - مذكر), hideous horrid

to die but gathered them and kept them in a receptacle near His throne (في عرابة من عرابت العرش) When the germ of a new being is placed in the womb of the mother it remains there till its body is sufficiently developed the soul in the same is then dead yet when God Almighty breathes into the spirit He restores to it its most precious part (سرها) of which it had been deprived while preserved in the receptacle near the throne This is the first death and a second life Then God places man in this world till he has reached the term fixed for him.

¹ As long as the soul slowly ascends from the heart through the throat it is exposed to various temptations and doubts but when it has been pierced by the lance and thus separated from the body these cease Izrá'il is said to be frightful in appearance and of enormous size his head in the highest heaven his feet in the lowest parts of the earth and his face opposite the preserved Tablet To a believer however he appears in a lovely shape and his assistants as Angels of Mercy while to the unbelievers they are tormenting angels. The soul spirit according to the orthodox school is said to be a subtle body intimately united with the body of man like the juice is united with the green branch of a tree (الروح جسم لطيف مشبك بالبدن كاشعبان الماء بالعود الأخضر) The angel of death also takes the life of Jinn of angels and even of animals (Jowh. 158)

² Their eyes are said to be like copper cauldrons their voices like thunder in their hands they hold enormous iron hammers of such weight that, if they were to let them fall down on a mountain they would grind it to powder In order that this examination of the dead may take place God is said to cause the spirit of the dead person to return to its body with its senses and reason and memory

abominable) who examine the dead as to their belief in the Unity of God and the divine mission of Muhammad¹

¹ The spirit of the believer according to some is immediately after his death taken up through the seven heavens to the presence of God and then returns to the grave to re-enter the body in order to be examined (Ghazali Durr 19-19). The examining angels will say to the dead person: Who is thy Lord and what is thy religion and who is thy prophet? (من ربك وما ديك ومن نبيك) (See Jowh 160 also Dictionary of Islām 79-80 Faith of Islām 204). If the person so examined returns a satisfactory answer: God is my Lord Islām is my religion and Muhammad my prophet, a beautiful angel approaches him and assures him of the mercy of God and the delights of Paradise. Then orders are given to spread carpets for him in Paradise to assign to him a green garden and he is made to shine like the full moon. His grave is made spacious for him (70×70 cubits) and a window is made in the same opening into Paradise (Ghazali: 11 319 314 Jowh 161). If the answer is not satisfactory the two angels beat him between his eyes with the iron maces till he roars for anguish so loud that his cries will be heard by all creatures except man and genius. He is then doomed to eternal hell fire: orders are given to spread for him fiery boards and to open for him a door into hell fires. Ninety nine dragons sting and scratch and lick and torment him till the day of resurrection. This grave is made narrow for him by the pressure of the earth upon him till his ribs are almost crushed. The infidel will suffer such torments for ever: the disobedient believer however only for a time according to his sins (سب جلالهم) (See Ghazali: 11 312 Jowh 161 Dictionary of Islām 27 and 80). Prophets and Martyrs it is said are not subjected to this examination. Angels are also held to be exempt from it but not the Jinn.

The inhabitants of the grave are said to be of four kinds: (1) those who sleep on their backs till their corpses become dust when they constantly move about between earth and the lowest heaven. (2) those on whom God causes sleep to descend and who only wake up at the first blast of the trumpet. (3) those who remain in their graves only two or three months then are carried away into Paradise: they perch on the trees of Paradise in the shape of birds. The spirits of martyrs are in the crops of birds. (4) Prophets and saints who may choose their own habitation (See Ghazali Durr 88-88).

He who dies a violent death at the hand of a murderer, or otherwise, must nevertheless be considered to have reached the proper term of his

Muhamamad taught that, though man's body will be consumed by the earth, yet one part of it will remain uncorrupted till the last day namely the *os sacrum* (عقب الدب) the rump bone, and that from this God will, at the last day create a new body so that as it was the first part created it will remain to the last uncorrupted to become the seed whence the whole body is to be renewed (Jowh 155 ليس من الإنسان شيء لا يبلى إلا عظماً واحداً وهو عقب الدب منه حتى 'الحلى يوم القيامة')

life for if he had not died a violent death he would have died a natural death at the same hour (For various other opinions of the Mu'tazila see Jowh 36 153. Ghazali, Durr)

Though the body becomes dust and perishes after death the soul spirit will continue alive till the first blast of the trumpet at the last day in this all learned men are agreed. Whether however it will die or continue alive after Isrá'îl has sounded the first blast of the trumpet is a controverted subject some hold that it will then die or vanish (فناء) till made alive again at the second blast while others believe that it will not die (يحكموا بعدم فناءها). At this second blast God is believed to collect all the souls into the trumpet in which there are said to be little holes or cells like those in a bee-hive. They then leave their cells and repair each to its own body.

¹ Some object to this statement for God has declared in the Qur'an that everything will perish except His (God's) face (كل شيء هالك إلا وجهه). To enquire in what the spirit of man consists and where its seat is in the body is useless some say forbidden Sura xvii 87. It is generally admitted that man has only one soul but some are of opinion that he has two one is called the spirit of watchfulness (روح اليقظة) which while it resides on the body causes man to be awake and watchful and, when it departs from it causes him to sleep and to have dreams the other the spirit of life (روح الحياة) which while it abides in the body, causes man to live and when it departs causes him to die (Jowh 156)

The spirit after death enters the state or interval, called al Barzakh (البرزخ=interval separation) i.e. the intervening state between death and the last day (Sura xxiii 10)

As regards their abode the generally accepted opinion is that the prophets are admitted into Paradise immediately after death that the

The exact time when the Resurrection will take place no one knows but God. The approach of the Last Day, the Hour, (اليوم الآخر) may however be known from certain signs which are to precede it (أسراط الساعة). These are distinguished into the lesser and the greater signs (العلامات الكُبرى والعلامات الصُغرى).

martyrs according to a saying of Muhammad re t i i the crops of green birds which eat of the fruits and drink of the river of Paradise (أرواحهم في حواصل طيور خضر) Sūra iii 169. This living in the crops of birds cannot be explained, but must nevertheless be believed. The commentator of the Jowhara says that the birds may be transparent or the saying may be understood figuratively, as representing the speed with which they are able to move about. The spirits of common believers are usually believed to stay near their graves (Jowh 181 182 أرواح السعداء بأفنية القبور على الصحيح) but they enjoy liberty to go wherever they please. Others say that they are with Adam in the lowest heaven. The spirits of infidels are said to be cast down into a pit in hell in the seventh earth called Sijjīn (سجين) where they are to remain to the day of Resurrection (Sura lxxxiii 7 10). Others fancy that they remain in a certain well called Barhūt (مر بهوت) in Hadrament or according to a saying of Muhammad under the devil's jaw to be tormented till they are called to join their bodies.

As regards the enjoyment of Paradise and the torments of Hell there will be the following classes: believers and infidels. The infidels will according to a general agreement be in hell for ever (مجلد في النار), the believers are of two kinds: (1) obedient (طائع) who go to Paradise; (2) the disobedient (عاصي) who if penitent (تائب) go to Paradise also or if impenitent (غير تائب) they are treated according to God's will (في المشيئة), that is He pardons them or torments them as He pleases. He will not leave them in hell for ever for though disobedient they are Muslims and Believers, and therefore are not to be treated like Infidels.

¹ The lesser signs of the Hour are, according to some authorities as many as five hundred. Of these we may mention (1) the decay of faith among men (كثرة المظالم وازدياد الآفات وكثرة الحيانات).

(2) the advancing of the meanest persons to eminent dignity (ساد القلله)
 (3) A maid servant becomes the mother of her mistress (مع الاسافل)
 there will be an increase of sensuality (4) Tumours and
 seditious (5) A war with Greeks and Romans (6) Great distress in the
 world (7) The provinces of Irak and Syria shall refuse to pay tribute

The greater signs are the appearance of the Mahdi (ظهور المهدي)
 the directed one who is therefore fit to direct others and concerning
 whom Muhammad foretold that the world would not come to an end till
 one of his own family should govern the Arabians and should fill the
 earth with righteousness. It is believed that the Mahdi will come from
 Madina and go to Mecca where the people will make him Imam. He
 will be a great conqueror causing the Muslims to become a mighty
 nation. He will break crosses and kill swine. According to the Shi'ahs
 the Mahdi has already appeared in the person of Abd'ul Qasim the 12th
 Imam (255 A H) who is believed by them to be alive now but concealed
 in some secret place until the day of his manifestation before the end of
 the world (Mashar 185 192 Jowh 168 Faith of Islam 99)

The appearance of antichrist is another sign (خروج المسيح الدجال)
 He is said to be one-eyed (احمر) and marked on the forehead with the
 letters K F R which stand for Kafir or infidel. According to some
 traditions he is to appear first between Irak and Syria according to
 others near Madina. He will ride on an ass and be followed by seventy
 thousand Jews of Ispahan and continue on earth for forty days. He will
 lay waste all places but will not enter either Mecca or Madina or Jeru-
 salem. At last he will be slain by Jesus who is to encounter him at the
 gate of Lydda. (For more details see Mashar 197 199 Bukhan's
 Commentary x 199-20, Sale 57 Dictionary of Islam 928)

The descent of Jesus son of Maryam (نزل عيسى بن مريم) will take
 place near the white minaret to the east of the Mosque at Damascus
 at the time of the afternoon prayer. The Imam it is said will make room
 for him and he will lead prayer according to the rite of Muhammad. He
 will marry a wife get children and die after forty years continuance on
 earth and be buried at Madina. Under him there will be great security
 and plenty. Lions and camels bears and sheep shall live in peace
 and a child shall play with serpents unhurt (Mash 192 197 199 Sale
 57 58 Isaiah xi 6 et seqq)

The appearance of the Beast (خروج الدابة) fifty cubits high a compound
 of various species with the head of a bull the eyes of a hog the ear
 of an elephant is also a sign. It will rise out of the earth in the temple
 of Mecca and mark the face of believers and of the infidels so that
 every person may be known for what he really is. (See Mash 209 et seqq
 Dictionary of Islam 64 539 Sale 57)

The first sign of the immediate coming of the Hour will be the sounding of the Trumpet (نفس الصور). At the first blast of the Trumpet¹ (نفس الصور) all creatures will be struck with terror. This blast will be followed by a second blast, when all creatures in heaven and on earth will die, or be annihilated except those whom God may exempt from the common fate.

Another sign is the appearance of Gog and Magog (يخرج ياجوج وماجوج). These barbarian nations of whom many things are related in the Qur'an and the Traditions will make inroads into the Holy Land cross the lake of Tiberias which the vanguard of their vast army will drink dry proceed to Jerusalem and there greatly distress Jesus and his companions till at his request God will destroy them. Their carcasses will fill the earth and the burning of their bows arrows and quivers will last for seven years. God will at last send a rain to cleanse the earth and make it fertile. (Suras xxi 96 xviii 93 97 Revelation xxi 14 xii 8 Ezekiel xxxviii 2 xxxix 1 9 Sale 58 Geiger 74 Bukhari Commentary x 205)

The rising of the sun from the west (طلع الشمس من مغربها) and the appearance of a mighty smoke (الدخان) which will remain on earth for forty days (Jowh. 168) and the destruction of the Kaaba by the Abyssinians (غراب الكعبة) and the removal of the Qur'an from books and the memory of people (رفع القرآن من المصاحف والمدون) and the inhabitants of the earth becoming infidels (رجوع اهل الارض كلهم كفارا) or all signs which indicate the near approach of the Hour but the exact time will still remain uncertain.

¹ At the first blast of the Trumpet the earth will be shaken and all buildings and mountains will be levelled the heavens shall melt the sun be darkened, the stars fall and the sea be troubled and dried up. Women who suck shall abandon their infants and even the she-camels which have gone ten months with young shall be utterly neglected (Sura lxxi). This first blast shall be followed by the second blast when nothing shall survive except God alone with Paradise and hell and the inhabitants of these two places and the throne of glory. The last who will die is the Angel of death.

There is a difference of opinion as to the number of blasts. Some say they are three (1) نفث الصور the blast of consternation (2) نفث الصور

All creatures are said to remain for the space of forty years in the intermediate state (المرح) of insensibility and death, between the first and the last blast of the Trumpet. During this interval God is said to cause a rain or dew supplied from the water under the throne of God to fall upon the earth. It is called the water of life (ماء الحَيوة) and will penetrate the earth to the depth of twelve feet. By the efficacy and virtue of this water the dead bodies will spring forth from the graves (the os sacrum being the germ) as they did in their mothers womb, or as corn sprouts forth from common rain and grow till they become perfect.

Immediately at the sound of the blast of Resurrection (نقطة النشأ - نقطة الإحياء) the souls of men will repair to their several bodies¹

the blast of dying (3) نقطة الإحيا the blast of resurrection. The truth is that there are only two blasts that of consternation and that of the resurrection.

¹ Israfil who with Gabriel and Mikail has been restored to life standing on the rock of the temple of Jerusalem, will at the command of God call together the souls from all parts those of believers from Paradise and the unbelievers from hell and throw them into his trumpet. There they will be ranged in little holes like bees in a hive, and will on his giving the last sound be thrust out and fly like bees filling the whole space between earth and heaven. Then they will repair to their respective bodies (Mashar 212 213 Ghazali iv 820 Sale 59 Dictionary of Islam 540-541). The earth will then be an immense plain without hills or villages (الساهرة) Sura lxxx 18 14 and the dead, after they have risen, will sit down each one on his tomb anxiously waiting for what is to come (Ghazali Durr 48).

The first to rise will be Israfil then the other archangels, then Muhammad will mount the Burâq (البراق), a wonderful animal, between the size of a mule and an ass having two wings and moving with remarkable swiftness and repair to the presence of God. The dead will arise from

All mankind will then have to repair to the place of assembling¹ (الموقف - المحشر) for judgment

In consequence of the heat and the press of people a copious sweat (العرق) will come out of every pore of the skin, forming a deep sea of sweat covering the whole place into which all will be immersed according to their works

their graves in the same shape and with the same qualities (اعراض) in which they lived on earth. Even the still born child (الطفت) will rise in this condition. As the glorious change of the bodies of believers will only take place in Paradise when Muhammad stated that men would rise barefooted naked and uncircumcised. Ayesha objected that it would be indecent for men and women to look at each other. The Prophet replied that people would then have weightier matters to care for than to look at each other.

Men will then according to Muhammad, be distinguished into three classes (1) those who go on foot are those who have performed few good works (2) those who ride are true believers who have been obedient servants of God (3) those who creep grovelling with their faces to the ground dragged along by angels are the infidels. The various classes of evil doers will be distinguished by their outward appearance adulterers as apes usurers as swine etc etc

¹ As to the place of assembling the Qur'an and the Traditions agree that it will be on earth but as to the exact place opinions differ. Some say it will be Jerusalem. Ghazali says it will be an extensive plain without any hills valleys or trees where one might find a hiding place (Sura xiv 49). On this place of judgment angels, men, genii, devils, animals will be gathered and kept standing some say for seventy others for one hundred years anxiously looking up to heaven and waiting for their sentence but God will not speak to them. The sun will be very near the earth and the heads of the infidels will almost be burned (Ghazali iv 322).

This sea is said to be seventy feet deep some will stand in it up to their ankles others up to their knees or loins, others to their ears and some will be almost drowned in it. Prophets saints and pious Muslims will not suffer from these troubles for they will be protected by the shade of the throne of God (Suras iii 102 103 182, 192 iv 89 vi 12 xvii 54 99 xviii 99 101 xix 69, 95 96 xlv 25 xxxii 11)

Then God will appear in the clouds surrounded by angels, to judge those who have risen from their graves. This judgment will consist of the following ¹ the presentation before God (العرض) and the taking of the books of account (أحد الصحف), then the questioning (السؤال), the account (الحساب) and then the weighing in the balance (الوزن - الميزان)

Muhammad according to tradition, will be the first man to rise on the day of resurrection and will stand on the right of the throne of God. All other prophets will then range themselves under his flag. Men on rising will in their fright flee for refuge to Adam and entreat him to intercede (يسمع) for them, but he will

¹ The presentation means that all men will have to present themselves before God in their true character. The books in which all good and bad acts of man are recorded will be blown by the wind from a repository under the throne of God where they have been preserved and will then be fixed to the necks of those to whom they belong (Súra xvii 14). The angels will then come and place these books in the right hand of those who will be saved (إن كان سعيداً) and in the left hand behind the back of those who go to hell. Angels and prophets will enter Paradise without having to render an account and so receive no book (Súras lxxxiv 8 12 lxxx 19 20)

The first whom God will question will be the angels then the prophets. Men will be questioned concerning their outward actions as well as their inward thoughts (عن سرّة وعلانيه) Suras lxxv 5 v 108 116). All creatures that is men, angels and genii also will then be clearly made acquainted with the account of their works good and bad (الحساب هو توقيف الله عبادة). All wrongs and differences between men and beast will then be settled satisfactorily. God will then also judge wild beasts, and reduce them to dust (Súras iv 45 lxxviii 41)

decline,¹ so with Abraham Moses and Jesus At last Muhammad will undertake the office of Intercessor²

After all creatures have been questioned and received their account, then in order still further to show the justice of the account, a balance (مِيزَان) will be set up in which the books of actions, bad and good will be weighed³

¹ Adam will decline on the score of having disobeyed God Jesus it is said will also decline for the reason that he had been made the object of worship due to God only

² Jesus will send them to Muhammad who at once will accept the office of intercessor There is said to be an interval of one thousand years between this going from one prophet to another for aid Muhammad will intercede for his people Súra xvii 81 is said to refer to this circumstance (الْمَقَامُ الْمَحْمُود) After this general intercession of Muhammad (السَّعَادَةُ الْعَامَّةُ) the door of intercession will be opened to others and prophets and also to other pious men Numbers will thus be saved from hell-fire

Besides this general intercession Muhammad is believed to exercise several other kinds of intercession for a number of people some of whom never performed a good work also for such as have committed mortal sins and for Muslims who are already in Hell fire for people in paradise to raise them to a higher degree (رَفْعُ الدَّرَجَاتِ فِي الْجَنَّةِ) or lightening the torments of some people in Hell for alleviating the torments of the grave (For further details see Jowh 178-179 Mashar 255 259 261 Ghazali iv 329 340 Súra ii 256 xix 90 see also Súra ii 45 xx 108, xxxiv 22 xxxix 45 lxxiv 49 lxxviii 39) Every sin may be forgiven except idolatry (Súra iv 51 116)

³ There will then according to Ghazali be three classes (1) those who have done no good works and who will go to hell fire at once, (2) those who have committed no evil action (prophets) and those who have performed many excellent works, who will go to Paradise at once (3) those who have done both good and bad works These constitute the majority For this class chiefly are the balances set up Their books of actions some say the actions themselves which will assume a bodily shape will be thrown into the scales and weighed (تَوَزَنُ الْكُتُبُ أَوِ الْأَعْيَانُ) This balance is referred to in the Qur'an (Súra xxi 48 xviii 105) The orthodox opinion is that it is to be understood literally not allegorically

After the account has been rendered and every man's works weighed and sentence pronounced accordingly a bridge¹ (صراط) will be spread over the midst of hell and all believers and unbelievers will have to pass over it

After having passed over the bridge a pond² (حوض) will be given to Muhammad. It will be full of sweet and refreshing water. It is said to come from the river Kanthar (كنثر) which flows from under the throne of God

Hell (دار العذاب - دار جهنم) is the place of punishment and torment. All men without exemption believers as well as infidels will have to enter it. 'There is not one of you that shall not go down to it' (Sura xix 72)³ The

(For further details see Jowh. 170-171 Ghazali iv 32. Ghazali Durr 69 Mash 264 Faith of Islam p 225)

¹ صراط means a road. Those who enter Paradise will take the right hand way and those who are doomed to Hell fire will take the left but both of them will have to pass over the bridge spread over the midst of hell finer than a hair and sharper than the edge of a sword and beset on each side with briars and thorns. The righteous cross it with the swiftness of lightning others like the wind the wicked will soon miss their footing and fall into the fire of Hell

Muhammad and his people will drink from it. Every prophet also is to be given such a pond but of inferior quality. Sura cxviii 1 is said to refer to this delicious water. The throne of God (العرش) Sura ix 130 is a large body or cupola spread over the world made of fire or green emerald or red ruby resting on four columns which are borne at present by four angels but at last by eight. The seat (الكرسي) also is a body of light (جسم نوراني) attached to the throne from beneath. The Pen (القلم) is a large shining reed (قصب), which God is said to have created and commanded to write down everything that was and shall be to the day of the resurrection (Bukhari's Commentary ix 381). The Preserved Tablet (اللوح المحفوظ) is said to be a large shining slab on which the Pen writes down with the permission of God everything that has happened and will happen

² Some commentators make Sura xix 72 refer to the believers passing the bridge spread over hell but the majority hold that believers also

believers will scarcely if at all feel its heat, and will pass through it quickly infidels will remain in it for ever

Hell is said to be divided into seven stories (طبقة) or apartments one below the other, designed for as many distinct classes of the damned They are given below¹

will enter Hell but pass through it quickly and that the heat will be cooled down for them (see Baidāwī Commentary) Hell according to the Sunni doctrine has been created by God in past times and exists now Hell is described as an awful place terribly hot its fuel are men and stones its drink matter mixed with blood the clothes of its inhabitants are made of ever burning pitch (مطران) serpents and scorpions will sting and torment its victims

1 Jahannam (جهنم) in which the wicked believers will be punished according to their works or demerits till they are at last released It is a purgatorial hell for Muslims and will be destroyed after they have come out of it

2 Laza (لظى) a blazing fire for Jews

3 Hutama (حطمة) an intense fire for Christians (Sura civ 4)

4 Satir (سعير) a flaming fire for the Sabians (Sura iv 11)

5 Saqar (سعر) for the Magi (Suras liv 47 lxxiv 44)

6 Jahim (جهم) for idolaters (Sura ii 119)

7 Hawia (هاوية) the abyss the lowest hell the bottomless pit for hypocrites (منافقين) i.e. those who outwardly professed Islam and inwardly were infidels (Sura ci 7)

Over each of the gates of these stories is set a guard of Angels (مركبة Suras xxxix 71 lxxvii 8) whom the damned will beg in vain to intercede for them with God that they may be relieved from their torments or annihilated (Sura xl 52) Over these guards is set as chief Malik (مالك) The food of the damned is a bitter fruit called Zaqqum (شجرة الزقوم Suras xxxvii 60-64 xlv 48-44 lvi 51 58) their drink is hot stinking water (حميم), mixed with matter (عساق Suras xxxviii. 57 ماء مدید Suras xiv 10)

The unbeliever who dies as such, though he had been a believer all his lifetime will remain in Hell for ever (النار دار خلود للشقي Ghazali iv

The abode of the blessed is believed to be a kind of partition wall, called the A'arâf (الأعراف), between heaven and hell. Those who have not yet entered Paradise, although they desire it rest on this wall. From this place they see both those who enter Paradise and those in Hell (Sura vii 44).

The righteous having safely passed the bridge and having refreshed themselves at the pond will at last enter Paradise * and in the heavenly garden (الجنة) will enjoy all kinds of delights bodily as well as spiritual. The Qur'an gives a detailed description of these delights in a number of passages, among others in Suras lxxvi 12-22

331 et seqq) The children of infidel are according to the best authorities admitted into Paradise some place them in the A'arâf (الأعراف) a kind of Hades some few pretend that they are in Hell fire. No Muslim will be doomed to eternal fire all will be released from it after a shorter or longer period. Even during their stay in Hell Muslims will not be made to feel the torments like infidels as they are believed very soon after they enter it, to undergo a kind of death and to become insensible to pain (يصلون إحسان الم العذاب) Jowh 175 Masbar 276 Dictionary of Islâm 171 172)

1 Baidâwî says that the term أعراف is derived from أعراف ال عرْف and is the mane of a horse or the most elevated part of a thing other commentators say that the place is so called because it distinguishes between heaven and hell or because those who stand on it know and distinguish the blessed from the damned by their respective marks (عرف to know distinguish). Some consider this place a kind of limbo for the patriarchs and prophets and sains some also place the children of infidels on the A'arâf.

* Paradise according to the orthodox doctrine was created of old, is in existence now, and will last for ever (دارالخلود) and will not as the Mu'tazila pretend, be created on the day of resurrection and eventually cease to exist. As to the number of Paradises some believe that there is only one some two others four seven or eight. Those who adopt only one say that the various names mentioned in the Qur'an only designate the various delights to be found in the one Paradise. Those who

lv 12 39 lv 54 56 xlvii 16 lviii 30 xxi 23, xxvi
55 xxvii 39 59 xxxix 21 73 75 li 17 18 lxxxi
22 36 x 9-11 xxiii 8 113 xxxviii 49 55

admit more than one mention the following جنة الجلود garden of immortality (Sura xiv 16) دارالسلام dwelling of peace (Sura vi 127) دارالقرار lasting habitation (Sura xl 42) جاب عدن gardens of Eden (Sura ix 73) جاب المأوى gardens of refuge (Sura xxxii 19) جاب النعم gardens of delight (Sura v 70) علون the highest place in heaven (Sura lxxxiii 18) جاب الفردوس the gardens of Paradise (Sura xiii 107)

The highest and most excellent of these eight Paradises is said to be the Firdaus above which is the throne of the Merciful (عرس الرحمن) from which flow the rivers (أنهار) of Paradise Muhammad is believed to occupy the highest place in Paradise called the Maqámul wasila (مقام الوسيلة) the place of relationship of influence Paradise is also said to have eight gates gate of fasting of prayer of alms and so on (For details see Ghazali iv 335 336 Mash. 227 279) In Paradise there are upper apartments (عرب) palaces (قصور) consisting of one single pearl in every palace seventy houses (دار) in every house seventy rooms (ب) bedsteads beds on every bed a Hour tables dishes girls to serve (وصيفة) and the believer will have power given to enjoy all these delights (Mash 280 يعطى المومن فى كل غداة من القوة ما يانى على ذلك كله أجمع)

Paradise is a shady place (Sura iv 60) full of sweet perfumes and no one there suffers from fatigue (Sura xxxv 32) In it there is a tree called سدرة المنتهى Sidratul Muntaha also delicious fruits and other kinds of food The occupants of the lowest place in Paradise will be feasted on the liver of the great fish (كبد الحوت) and the ox of Paradise (ثور الجنة) (Ghazali iv 336 Mashar 281 284) Rivers of sweet smelling water milk wine and clarified honey flow from the mountains of musk One of these is the Kauthar (الكوثر) Sura xlvii 16 Mashar 285 There are said to be in Paradise four springs (عيون) the two issuing from under the throne of God are the Zanjabil (زنجبيل) and the Salsabil (سلسبيل) Sura lxxvi 18 As so much eating and drinking necessarily requires proper evacuations God is said to have so arranged that all superfluities will be discharged and carried off by perspiration as odorous as musk (See Ghazali iv 336)

The blessed in Paradise are dressed in clothes of the finest silk and brocade (سُدَمَسْ أَسْبَرَقْ) with silver and gold bracelets on their arms and crowns of inlaid jewels and shining pearls on their heads (Suras xviii 30 xlv 58 lxxvi 21 22 33 xxxv 30-32 Mashar 235 287) they will rest on beds of silk (أَرَائِكْ) (Suras lxxxviii 13 xv 47 xxxviii 43 li 20 lvi 15) The tents in which they live are each made of one large pearl

They have wives (أَهْلٌ) whom no stranger ever sees and who never look at any man but their own husbands (مُصْرَبَاتِ الطَّرَفِ) and who are pure (أَرْوَاحٌ مَطْهُورَةٌ), that is free from the ordinary habits of women (سُورَةُ الْحَجَّامَةِ Sura ii 23 iii 18 iv 60 Ghazali iv 387 Mashar 287 Nazhal Arwah 3.) Every believer (none of them will be unmarried) will have besides other wives and houries two wives so beautiful and transparent that he will see the marrow of their bones behind the seventy magnificent dresses which they wear and will see his face in their cheeks as in a mirror Besides these he will have four thousand virgins (بُكَرٍ) and eight thousand women who have already been married (نُسَبٍ) and five hundred houries (حُورُ الْعِينِ) having the white of the eye intensely white and the black intensely black (Sura iv 72) These are the finest damsels of Paradise According to Ghazali (iv 387) Muhammad said The believer in Paradise will marry five hundred houries four thousand virgins and eight thousand married women their occupation will be the enjoyment of the sensual delights provided for them (فِي مَغَلٍّ مَكُونُونَ) (Sura xxxvi 55 which commentators explain to mean (إِنْفَاصُ الْإِبْكَارِ) It is a controverted question whether women will conceive and bear children in Paradise The best authorities are of opinion that children being the chief pleasure of man will be born to those who desire it but their conception birth weaning and growth into youthful age will all take place within the space of one hour Music will be provided for those who like it horses for those who wish to ride camels fields and in short things which eye saw not and which did not enter into the heart of man (Ghazali iv 338 (مَا لَا عَيْنٌ رَأَتْ وَلَا أذنٌ سَمِعَتْ وَلَا خَطَرَ عَلَى قَلْبِ بَشَرٍ) Among these there is also said to be a tree called Tuba (طُوبَى) not mentioned in the Qur'an on which grow precious jewels and fine clothes On entering Paradise believers will be youthful looking creatures about less thirty six years of age and they will grow neither older nor younger The statements mentioned in the chapter on the resurrection are to be firmly believed by the Muslim as they rest if not all on the Qur'an itself on Tradition and the agreement (إِجْمَاعٌ) of the learned doctors On

The delights of Paradise are not however considered to consist solely in bodily and sensual pleasures and enjoyments but to include spiritual¹ enjoyments also. The highest spiritual delight (اللذة الكبرى) the blessed in Paradise will enjoy consists in seeing the face of God (النظر إلى وجه الله)

certain details of minor importance the Muslim is however at liberty to adopt what commends itself to his own mind (For further details see Ghazālī iv 387 بيان جمال مفارقة من أوصاف أهل الجنة وردت بها الأخبار)

The orthodox and general opinion concerning the above described delights of Paradise is that they are to be understood in their literal and obvious sense and not in the figurative sense to designate spiritual pleasures and enjoyments.

¹ This spiritual delight is said to be referred to in Sūra x 27 to those who do good will be given goodness and increase (زيادة) This increase being the seeing of the face of God Muhammad one fine moonlight night is reported to have said to his disciples You will see your Lord as you see this moon —the curtain will be lifted and they will look into the face of God and nothing of all that has been bestowed upon them will delight them more than the seeing of His face Some are said to see him for the space of a whole year others for a week others morning and evening others will be privileged to see him without ceasing Another of the spiritual delights the believer will enjoy in Paradise is to behold Muhammad Ghazālī at the conclusion of his description of the delights of Paradise says Nothing of the delights of Paradise can be compared to the delight of meeting God (لذة اللقاء) for the other bodily enjoyment of Paradise dumb animals share with the believer but this is reserved to him alone The possibility and reality of God's being seen (وجه الله) by his faithful servants in Paradise—men, angels, genii, is an article of faith which must be believed by every Muslim as it is supported by the Qur'ān Traditions and the Ijmā There are some sects which pretend that it is impossible that God should be seen with the eye

The sources from whence Muhammad and his disciples derived most of the statements on the resurrection the last judgment Paradise and Hell are explained by Sale in his Introductory Discourse and by Geiger in his book Was hat Mohammed aus dem Judenthume auf genommen, now translated into English under the name of Judaism and Islam, Simpkin Marshall & Co See also Tisdall's Yanābi ul Islām in Persian and in English on The Original Sources of the Qur'ān S P C K

The sixth article of faith is that of Predestination¹ (العصاة والعذر بعدد - قدر) Every Muslim must believe in God's absolute decree and predestination both of good and evil and that God has from eternity predetermined and decreed everything good as well as bad belief and unbelief and that everything that has been or will be depends

The Qur'an speaks in many passages of this all important subject All things we have created after a fixed decree (Surah liv 49) No one can die except by God's permission according to the Book that fixeth the term of life (Surah iii 139) All sovereignty is in the hands of God He whom God guideth is the guided and they whom He misleadeth shall be the lost (Surah liv 49 in 139 xiii 30 vii 278) The Sunni doctrine on the subject is that whatever happens in this world good or evil faith or unbelief obedience to God and disobedience proceeds entirely from the will and decree of God and is irrevocably written down and fixed on the I reserved Tablet Not a worm creep on earth not a leaf falls from the tree except by the decree and will of God

As regards man God has from eternity (من الأزل) fixed his adverse or prosperous fortune in this world his faith or infidelity and consequently his happiness or misery in the next world Muhammad said Every man is joined together in the womb of his mother forty days then he becomes conglutinated blood for the same time then a bit of flesh for the same time then God sends an angel (ملك الأرحام = the angel of the wombs) whom he commands to write down for the embryo four things its portion of prosperity food much or little its life short or long miserable damned or happy in the future world He also said السعد من سعد في بطن أمه والشقي من شقي في بطن أمه واللدان أحدكم يعمل بعمل أهل النار حتى ما يكون بينه وبينها غير باع أو دراع فيسقى عليه الكتاب فيعمل بعمل أهل الجنة مدخلها أو أن الرجل يعمل بعمل أهل الجنة حتى ما يكون بينه وبينها غير دراع أو دراعين فيسقى عليه الكتاب فيعمل بعمل أهل النار فيدخلها (Jowh 97) Muhammad taught the fore knowledge of God but he did not lay down precisely the doctrine of predestination It perplexed him and he spoke of it but often contradicted himself and he would become angry if the subject were mooted in his presence Sit not down with a dispute about fate he used to say Bukhārī mentions that the Prophet once came out of his house when the Companions were debating concerning fate (predestination) He became angry and red in the face and said Has God ordered you to debate on fate? Was I sent to you for this? I adjure

entirely on His fore knowledge and sovereign will (Jowh 93 106 Mawaqif 515 538 Bukhari's Commentary ix 328 338)

As regards the exact meaning of the *مصراع* and the *قدر*¹ which both designate the act of God's predetermining and

you do not argue on these points Among other sayings of Muhammed on the subject Bukhari mentions the following God created Adam and touched his back with his right hand and brought from it a family and God said to Adam I have created this family for Paradise and their actions will be like those of the people of Paradise Then God touched the back of Adam and brought forth another family and said I have created this for Hell!

Then a man said to the Prophet Of what use will deeds of any kind be? He replied when God createth his servant for Paradise his actions will be deserving of it till he dies when he will enter therein and when God createth one for fire his actions will be like those of the people of hell till he die when he will enter therein — There is not one amongst you whose place is not written by God whether in the fire or in Paradise Thereupon the Companions said O prophet! since God has appointed our places may we confide in this and abandon our religious and moral duties? He said No because the righteous will do good works and the wicked will do bad works, (See Jowh 93 105 Bukhari's Commentary ix 332) Though good and evil are predetermined and decreed by God yet man may not use this doctrine as an encouragement to commit sin for example he must not encourage himself to commit adultery by saying God has decreed that I should commit this sin and therefore I will commit it nor may he use it as an excuse when he has committed it in order to escape punishment Then again the doctrine of predestination must not prevent man from asking God in prayer and supplication what he is in need of for his praying and obtaining in answer to prayer what he wants are also predetermined As to the lot of children who die young Muhammad replied God knows best what they have been doing The learned Nawawi says that the majority of learned men are of opinion that the children of Muslims go to Paradise as to the children of infidels some say that they go to hell fire some that their lot is undecided (وقف طائفة) others that they enter Paradise which Nawawi says is the true opinion (انهم من اهل الجنة) (Bukhari ix 338)

¹ As regards the meaning of the term *قدر* those of the Ash'ariyya School say that it designates God's creating things in certain proportions

decreeing everything and the difference between the two terms there are various opinions

and in a special manner in the strictest accordance with His will (إيجاد الله الأشياء على قدر مخصوص ووجه معين إرادة الله تعالى) The term according to this opinion refers to the attribute of God's works The Maturidiyya يرجع لفعة فعل لأنه عبارة عن الإيجاد وهو من صفات الأفعال (الماتريدية) say that the قدر refers to God's defining and knowing from eternity the limits which every man should reach as regards beauty or ugliness wealth or poverty success or misfortune and has reference to God's knowledge which is an attribute of His essence

As to the meaning of the term مفا the Ash'ariyya say that it means the will of God that wills things from eternity as they are إرادة الله الأشياء من الأزل على ما هي عليه فيما لا يزال فهو من صفات الذات عندهم The Maturidiyya say that it means God's creating things with additional finishing and perfection إيجاد الله الأشياء مع ربادة الأحكام والألقان (محدث) With the Ash'ariyya the قدر is recent (محدث) and the (مفا) eternal (قديم) in opposition to the Maturidiyya The difference between these two terms has been summed up thus

إرادة الله مع التعلق - في الأزل مفاؤه محقق
والقدر الإيجاد للأشياء على - وجه معين إرادة على
ويعتبره مد فال معنى الأول - العلم مع التعلق في الأزل
والقدر الإيجاد للأشياء - على وفاق علمه المذكور

The مفا is eternal and the قدر recent and both terms have reference to God's knowledge and will and power Some say that the مفا designates what is decreed in a general manner (مجمعة) while the قدر designates the things decreed in particular (مفرقة) The following definition is given in the كتاب الفتح هو الفصل —

القدر هو التقدير والقضاء والقطع مالفما أحص من العذر لأنه الفصل بين العذر مالف قدر كالأساس والقضاء هو الفصل والقطع مذكر بعضهم أن القدر بمنزلة المعد للكل والقضاء بمنزلة الكمل

مفا has been compared to the thing to be measured the قدر to the measuring itself When the Khalif Umar intended to flee from the plague which had broken out at Damascus Ubaid said to him "Dost thou think thou canst flee from the decree (مفا) of God?" Umar

Man's acts are of two kinds voluntary (أفعال اختيارية) and involuntary (أفعال اضطرارية). As regards voluntary acts of man there are different opinions as that things operate by means of their nature or the power inherent in them (أن شيئاً يؤثر بطبيعته أو بقوة فيه) just as fire burns the knife cuts by reason of its nature or the power inherent in it. Those who hold this view are, by common consent considered infidels. Those who say that things operate by reason of the power God has created in them are considered to be either infidels or impious or sectarians. Thus the Mu'tazila believe that it is God who operates, but that he has ordered a necessary connection between (الله فيه) causes and effects which can never be revoked. They are ignorant (جاهل) and their opinion may ultimately lead to infidelity by denying the miracles of prophets as being contrary to the usual course of nature. The only true and orthodox opinion on the subject is that it is God who operates and has ordered a certain connection between causes and effects which can however be revoked —

(المؤثر هو الله وحده يفعل الأسباب والمستندات ملازماً - دائماً بحيث يصح بحلقها)

As regards involuntary acts of man such as the movements of him who trembles (حركة المروعش) they

said I take my refuge from the **قضاء** of God to the **قدر** of God (أفوض بما الله إلى قدر الله) implying that one may hope what God has determined to do (**قدر**) may be averted if it is not absolutely irrevocably decreed. The learned Commentator of the Jowhara says God is the Creator of man and his actions (الله تعالى خالق العبد وما يعمل) this is called the oneness of works (وحدّة الأعمال) and refutes the opinion that things can operate by the nature or power inherent in them

are, by common consent created and produced by God
(هي مجالوه كله)

As regards God's and man's parts in producing men's voluntary actions the orthodox opinion is that man has no influence whatever on his voluntary actions but that they are the result of God's power alone that God causes power and choice to exist in man and if there be no impediment, He causes his action to exist also subject to His power and joint with that and His choice which action as created is to be ascribed to God but as produced employed or acquired is to be ascribed to man. This acquisition (كسب) of an action by man therefore, properly means his joining or connecting the same with his power and will yet allowing herein no impression or influence on the existence thereof save only that it is subject to his will,¹ (أفعال العباد وأفعاله بقدرة الله تعالى وحدها¹ وليس لعبد من تأمر فيها بل الله سبحانه أحري عاقبه بانه يوحد في العبد قدرة واحداً واداً لم يكن هناك مانع اوجد منه فعله المعدور ومعارباً لهما فيكون فعل العبد مجالواً لله ايداً واحداً ومكسوباً للعبد والمراد بكسبه اياه معاربه بقدرة وارانته من غير ان يكون هناك تأمراً او مدحلاً في وجوده سوى كونه مجالاً له وهذا مذهب السلف أبي الحسن الأشعري Jowh
97 98 Mawaqif 515 229)

¹ Though God has created all acts of man good as well as evil still man has no right to say How can God punish me for bad actions I have committed since it is He who has created them, for no man has a right to enquire concerning the doings of God (لا يسأل عما يفعل) and his duty is to acknowledge God's absolute sovereignty in everything (لا نعبد الا الله) and to ascribe to Him all that is good and to ourselves all evil (المحصن)

As regards the promises (وعد) God has made to believers by the mouth of His prophets and in His Book that He will cause them to enter Paradise He will certainly fulfil them¹ As regards the threats (وعد) with which God has threatened the wicked, He may choose not to carry them into execution

As the eternal happiness of him who is saved is pre-ordained from eternity in God's fore-knowledge (علم) so is the eternal misery of him who is damned also decreed from eternity in God's fore knowledge²

(دور السعيد بعد من الازل كذا السعي)

works out of respect (مادبا) created it is true by God but acquired (كسب) by ourselves according to the words of the Qur'an Súra iv 81

What happens to thee of good things is from God and what happens to thee of evil is of thyself and Súra xlii 29 What happens to you of calamities is by what your hands have acquired. Say Everything is from God!

God has created in the man who is to be accepted and saved the power of obedience together with the disposition and the will to obey and provided him with the means to walk in the right path or as others say He creates in him the power of obedience itself (مقدرة الطاعة) Even the disobedient believer is included in this class

God has created in those whom he has decreed to reject and doom to hell some say disobedience (المعصية) as others say the power of disobedience (مقدرة المعصية)

¹ Verily God will not fail the promise (Súra iii 7) for if He did so He would have told an untruth which cannot be admitted. God may if He wills not carry out threats for not carrying them out is not a defect but on the contrary a characteristic of generosity and perfection (الوعيد بغير الحلف منه لأن الحلف في الوعد) Muhammad is reported to have said. God will surely fulfil His promise to reward certain actions but as to the punishment He has threatened He is at liberty to choose if He wills. He will punish and if He wills He will pardon. There are however other opinions opposed to this Sunni doctrine on the subject (See Jowh 95 96 100)

² This divine decree cannot be changed otherwise God's knowledge would be changed into ignorance. The happiness of man or his misery

Besides the Sunni doctrine on predestination there are two Schools which differ from it One is the Jabariyya¹ (الجبّرية from جبر to compel) Their opinion is that man is necessarily and inevitably compelled and forced to act as he does by the force of God's immutable decree

The other is the Mu tazila (المعتزلة) also called the Qadariyya² (القدرية from قدر to have power to decree)

depends according to the opinion of the Ash'ariyya entirely on the state in which he is at his death If at the moment of his death man is a believer he will inherit eternal bliss in accordance with God's fore knowledge if on the contrary he dies in a state of infidelity his lot will be eternal misery in accordance with God's fore knowledge

(السعادة هي الموت على الإيمان بأعصار وعلى علم الله أولاً بذلك - السقارة هي الموت على الكفر بذلك الأعصار)

The end therefore clearly indicates what has been pre ordained (الحاكمه تدل على السابقة) If a man dies a believer though he has spent his whole life as an infidel he will enter Paradise The Maturidiyya in opposition to the Ash'ariyya School are of opinion that man's going to Paradise or Hell depends on his life of faith or infidelity and that should he who has lived as a believer die as an infidel we must admit that he has been changed from one destined to eternal happiness into one destined to eternal misery (السعادة الإيمان في الحال - والسقارة هي الكفر في الحال - ما تسعد هو المومن في الحال وإذا مات على الكفر فقد انقلب شيئاً بعد أن كان سعيداً - والسقي هو الكافر في الحال وإذا مات على الإيمان بعد أن قلب سعيداً بعد أن كان شيئاً) (Jowh 96 97)

¹ Man according to their view is forced to act as he does like a feather in the air which the wind moves about at will and that he has neither power nor will nor choice any more than an inanimate agent and therefore no acquisition (العبد ليس له كسب بل هو مجبور مقهور) (كسب) (For details see Sharastani 59 Mawāqif 38 Jowh 97 99)

² They are called Qadariyya either because they deny the قدر or predestination or as others say more correctly because they assert man's power (قدرة) to act freely They consequently believe that he deserves either reward or punishment (ثواب أو عقاب) in the next world in accordance with his actions (العبد قادر خالق لأفعاله الاختيارية خيرها وشرها مستحق على ما فعله ثواباً وعقاباً في دار الآخرة)

They deny God's eternal predestination and say that man produces his voluntary actions good as well as bad by the power which God has created in him in fact that man is a free agent

Wesil Ibn Atá the founder of the Mu tazila sect says that God being wise and just it is impossible to ascribe to Him evil and injustice or that He should compel a man to do a thing and then requite him for it It is impossible to believe that God should command man to act if He had not given him the power to do so

The author of the Jowhara says that the Jabariyya and the Qadariyya entertain on the subject extreme opinions but that the men of the Sunni school have chosen the safe middle road between the two by asserting that man is neither absolutely compelled nor an absolutely free agent but that though God is the creator of his actions still man shares in producing his voluntary actions so that they are the result of two different powers viz of God's creation and man's acquisition He further explains the orthodox view by saying man has no power or influence (مأسر) over his actions but he is inwardly forced outwardly free (مجبور باطناً مجتار ظاهراً) Man is a compelled being in the shape of one enjoying free will

(الله خالق للفعل لكن للعبد في الاختيار منه كسب والمعدور الواحد مدخل حسب مدرسته فمدخل حسب مدرسة الله تعالى بجهة الخلق وبصفت قدرة العبد (Jowh 98 99) He who considers man from the point of view of his real condition excuses him but he who considers him from the point of view of the Law hates him (من نظر للخلق بعين الحقيقة عذرهم) (Jowh 99) The objection of the Jabari and the reply of the Sunni contained in the following verses is very characteristic

ما حيله العبد والامدار جاره - عليه في كل حال ايها الراى
القاء في الميم مكتوماً وقال له - اياك اياك مبتل بالماء
ان حفة اللفظ لم يمسسه من بلل - ولم يبالى بكسب والقاء
وان يكن قدر المولى بقرته - فهو الغريق ولم ألقى بمجرأه

Jabari — What can man do since everything has been decreed and pre ordained concerning him? This is as if God threw him into the sea with hands and feet bound and told him Be careful not to make thyself wet with water

As regards reward (نواب) and punishment (عقاب) man neither deserves reward for his good actions nor punishment for his bad actions, since God has created them both (لَمْ يَحْصُلْ مِنْهُمْ خَيْرٌ يَسْتَجِزُونَ لَهُ نَوَابًا وَلَا سَرًّا) (لم يحصل منهم خَيْرٌ يستجرون له نواباً ولا سرّاً) but though man does not deserve either the one or the other still it is generally agreed among the orthodox that God does reward or punish. When He rewards He does so by an act of His free will and sovereign grace (إِنَاءَهُ اللَّهُ تَعَالَى لَنَا إِنَّمَا هِيَ مَعْصِيَةُ الْمُحْصَى وَأَنْ يَعْذِبَ) (إِنَاءَهُ اللَّهُ تَعَالَى لَنَا إِنَّمَا هِيَ مَعْصِيَةُ الْمُحْصَى وَأَنْ يَعْذِبَ) When He punishes He does so as an act of pure justice (مِنْ مَعْرِضِ الْعَدْلِ)

On the much discussed question whether it is incumbent on God in His dealings with man to do and promote what is good (صالح), or best (أَافْضَلُ) the orthodox doctrine is that it is not incumbent on God to provide for a man either the one or the other for God is not bound to do anything but does everything according to His free will and pleasure¹

Sunnā —If the favour of God encompass him water will not make him wet nor will he care about being bound and cast into the sea. If God decreed that he shall be drowned he will be drowned even if he were thrown into the midst of dry land (For further details on the controversy between both parties see Dictionary of Islām 473 Faith of Islām 234 239)

The Mu tazila in opposition to the orthodox dogma teach that it is incumbent on God according to His justice to reward those who obey Him and to punish the evil doers. Reward and punishment are merely signs pointing to the reward of him who obeys or to the punishment of him who disobeys. Even if God reversed the meaning of these signs by saying Him who obeys me I will punish and him who disobeys me I will reward this would be good and just as coming from God (Jowh 100 101 Mawāqif 584 586)

¹ The Mu tazila on the contrary say that it is incumbent on God in His dealings with man to provide for him what is good or best. Some of them say that this is the duty of God both with regard to worldly and religious

God gives every creature (man and beast) its due portion¹ (الرزق), material as well as spiritual, such as food and raiment for the body learning sciences and so on for the understanding and the heart

Sins (pl فاحشة ; سيئات pl ستته , ذنوب pl ذنوب) according to the orthodox teaching are of two kinds * (1) little venial sins

concerns others say that only with regard to religion is He bound to consider what is best for man They also hold that God can and will only create what is good and not what is evil for their own sake To this the Sunnis reply that reason is not competent to judge what is good or bad that this can only be decided by the Law that on the whole nothing is bad (مباح) in the sight of God —

(الحسن ما حسنه الشرع والصبح ما صبحه الشرع - انه لا يفسح من الله شيء - غاية الامر انه يحفى علينا وجه حسنه)

God has good reasons for creating evil also in the world
¹ By this portion is meant however not what man possesses but only that part of it of which he makes use or derives benefit from What he possesses but does not make use of nor derives benefit from is not his portion (من ملك شيئاً و لم يملك من الاستفاد به ولم يفسح به بالفعل فليس ذلك السبق رزقاً له)
واما يكون رزقاً لمن يفسح به - كل احد يسوفى رزقه ولا ما كل احد رزق غيره ولا ياكل غيره رزقه

The Mutazila believe that all that man possesses is his portion whether he makes use of it or not and all that which is blameable or positively forbidden such as wine, etc. cannot be the portion of man ordered for him by God

It is a matter of controversy between learned men whether man is acquiring by personal exertion what he is in want of or his expecting it from simple reliance on God without personal exertion is the more excellent way (افلية الاكتساب او افلية التوكل) For details see Ghazali and Jowh. 182 185)

² Muhammad made the following statements on the subject He is not a believer who commits adultery or steals or drinks liquor or plunders

(صغائر pl معيرة) and (2) great capital sins (كبيرة pl كدائر) The Qur'an says on the subject 'Who avoid the heinous things of crime and filthiness forgive (Sura xli 35) Those who avoid great sins and scandals but commit only lighter faults verily thy Lord will be diffuse of mercy Sura liii 33

or embezzles when intrusted with the plunder of the infidel Beware beware!—the greatest sin is to associate with God or to vex your father and mother or to murder your own species or to commit suicide or to swear or to lie—Abstain ye from the seven ruinous and destructive things namely (1) Associating anything with God (2) Magic (3) Killing any one without reason (4) Taking interest on money (5) Taking the property of the orphan (6) Running away on the day of battle (7) Accusing an innocent woman of adultery—Verily everyone who performs the five prayers and fasts in Ramadan and avoids committing the seven great sins God will open for him eight gates by which he will enter Paradise on the day of resurrection The seven sins are called the *الهوبات السبع*

The sect of the Murjia on the contrary hold that all sins are little and do not harm man as long as he is a Muslim One of their doctors has embodied this opinion in the following verses

مت مسلماً ومن الذنوب لا يحف - حاشا المومنين ان يرى سكبدا
لو ارام ان يصليك نار جهنم - ما كان الهم عليك السجدا

The Khawarij on the other hand pretend that all sins are great sins and that every great sin is infidelity Others again hold that though all sins are great in consideration of the majesty of Him against whom they are committed yet that they do not amount to infidelity and that he who commits them does not thereby become an infidel except he commit sins which imply infidelity such as worshipping an idol or casting the Qur'an into a dirty place (Jowh 186)

As to the number of the great sins the learned doctors are not agreed The Companions and the Followers differed on this point Some said they were four others said seven and others eleven or more Ibn Abbas used to say that they are nearer to seventy than to seven Ghazali and the doctors of the Sunni School are of opinion that it is not possible to determine the exact number of capital sins and that the Law has purposely left them indefinite in order to frighten men from committing sin The capital sins may be distinguished from the smaller ones by certain signs (امارات), their deserving the punishment of حد and by their being

threatened with torments or by the circumstance that he who commits them deserves to be called impious (عاصي) or to be cursed by God (اللعن).

The most grievous of the capital sins are

Polytheism idolatry associating anyone with God (استرك بالله)

Murder without reason (قتل النفس ائمة حرم الله عليها الا بالحق)

Adultery (زنا) sodomy (لواط) disobedience to parents (عقوق الوالدين)

sorcery (سحر) false accusation of adultery (دب) fleeing on the day of battle (الفرار يوم الحرب) usury (اكل الربا) As regards the capital sins enumerated after the two first ones the degree of their grievousness depends on the circumstances under which they are committed and the consequences which result from the same

To the class of the greater sins belongs also the sin of intentionally deceiving the Prophet by lies (الكذب عليه معلم) A Muslim though he commits small and great sins unless he become an idolater (مشرع) or declares lawful what God has forbidden can never remain in hell fire for ever (Jowh 166 167 186) على قدر عذابه لا يحل في النار

Some give the following list of great sins infidelity (كفر) perseverance in committing little sins (استمرار على المعاصي) despairing of God's mercy (الصرط من رحمه الله) considering one self safe from the wrath of God false witness (جهاد الزور) falsely charging a Muslim with adultery (الزنا), swearing a false oath (اليمين الغموس) sorcery (سحر) drinking wine (خمر الحمرة) appropriation of the property of orphans usury (اكل الربا) adultery (زنا) unnatural crime sodomy (لواط) theft (سرقة) murder (قتل النفس) fleeing in battle before the face of an infidel enemy (عقوق الوالدين) disobedience to parents (الفرار يوم الحرب)

Every sin which has not the abovementioned characteristics belongs to the class of little sins. Small sins may become great sins by being repeatedly committed with intention or persevered in or when committed by a learned man who thereby misleads those who take him a guide on the right way (الصغيرة تعلق حكم الكبيرة بالاصرار عليها وهو معارضة) If a man commits small sins repeatedly but without intention, they do not become great sins. Small sins are forgiven if great sins are avoided (اجتناب الكبائر)

Forgiveness of sin (تكفير غفر الذنب) consists either in God's pardoning it and not punishing man for it (العفو اى عدم المراجعة به) or in concealing it from the eyes of angels or in wiping it out from the book of

It is the duty of the Muslim to show repentance¹ (فوراً - علي الفور) for sins at once (مداناً - مباد - بونه) immediately after the sin has been committed for delay constitutes in itself a sin. The degree of the guilt of such delay however depends on the length of the time which elapses before repentance

account According to a Tradition small sins are also atoned for by Wadú the legal ablution before prayer (الوضوء بكفر عن الذنوب)

The orthodox belief is that the prophets do not commit sin and are sinless (معصوم) but this dogma contradicts various statements of the Qur'án and of Muhammad as recorded in the Traditions (Súras xxvi 82 xl 57 xlvii 21 xlviii 2)

الآية من جمع المعاصي واجبة على الفور ولا يجوز تأخيرها سواء كانت معصية صغيرة أو كبيرة والمصاب واجب عينا في حال التلبس بالمعصية فوراً (Jowh 187 Maw 189 Ghazali iv 3 et seq)

Repentance is enjoined in the Qur'án. Those who after they have done a base deed or committed a wrong against their own selves remember God and implore forgiveness of their sins—and who will forgive sin but God only²—and persevere not in what they have willingly done miss As for them! Pardon from their Lord shall be their reward (Súra iii 129) See also Súras iv 21 ii 155 iv 22 v 43 ix 118 xxv 70 lxvi 8) Muhammad said The greater wailing of the inhabitants of hell fire comes from those who have delayed repentance

(أكثر صياح أهل النار من النسيوف)

True repentance comprises the following

- (1) Forsaking sin (الامتناع عن الذنب)
- (2) Sorrow for having committed sin against God (الدمع على المعصية لوجه الله)
- (3) Firm purpose never to return to sin

(أن لا تتعلق المعصية العزم على أن لا يعود إلى المعصية أبداً بالآدمي)
(4) Making amends or obtaining forgiveness if the sin has been committed against man whom he has injured thereby

(رد الظلمة إلى صاحبها أو تحميل البراءة منه أن تتعلق المعصية بالآدمي)
Another condition of true repentance is that it should take place before the pangs of death come on (مدور التوبة قبل الفرجة) At this time repentance is considered of no avail. Some however hold that repentance is

CHAPTER III

THE IMÁMATE

The Imámate¹ (الإمامة - الخلافة) is the general leadership in religious and worldly affairs over the Muslim nation (الإمامة ودأته عامة في أمور الدين والدنيا), or as others define it the succession of the Prophet for the purpose of upholding Islam and the interests of the Muslim nation (الإمامة أو الخلافة هي دنائه عن صاحب السريعه و حفظ الدين وسياسة الدنيا به والعائم به خليفة وإمام وأما سميته إماماً فمستبهاً تامام الصلاة وأبناؤه والانداء به ولهذا يقال الإمامة الكفري وأما سميته خليفة فلكونه يحلف للنبي في أمته ويقال خليفة ناطقاً وخليفة رسول الله

¹ Imám comes from *آم* to proceed have precedence to lead Khalifa from *خلف* to succeed to become a substitute

It is the duty of the Muslim nation to appoint a duly qualified Imám to be the vice regent of the Prophet and leader of the nation when no person has been specially appointed to take this office either by divine command or by order of the Prophet or when the late Khalif has not himself designated the individual who is to succeed him in the Imámate

The author of the *Sharh ul Mawáqif* says The Imámate is valid when resting (1) on a command of the Prophet or (2) on a command of the preceding Imám or (3) on the appointment of those who have the right to elect the Imám (ثبت الإمامة بالنص من الرسول ومن الإمام السابق بالإجماع ونصب جماعة أهل الحل والعقد)

Adam and David are mentioned in the Qurán (Suras 11 29 xxxviii 25) as having been appointed vice regents of God on earth Muhammad died without having appointed his successor The people chose Abú Bakr who appointed Umar to be his successor in the Khalifate

The Imám must according to the opinion of the Ash'ariyya (orthodox) school possess the following qualifications (سروط) (1) Islam (2) be of full age and of sound mind (3) freedom (4) not impious, (5) just, (6) be of the tribe of the Quraish¹

In proof of the necessity of appointing an Imám it is mentioned that the Imámate was established after the death of Muhammad by general consent on the election of Abú Bakr. In his first sermon after the death of the Prophet Abu Bakr said "Muhammad certainly is dead and it is necessary for this religion that some one should be appointed for its protection. And all the Muslims agreed with this saying (ان محمداً) مومات ولائاً لهذا الدين متى يقوم به صادر الكل الى قوله) The appointment of an Imám is said to be necessary both in time of peace and in time of war and rebellion. This is the opinion of the Sunnis and most of the Mu'tazila while others pretend that it is only necessary in times of rebellion and of internecine wars. Others again are of opinion that he is only to be appointed in times of peace while others again deny the necessity of the appointment of an Imám at all. (For further details see Mawáqif 603 Jowh 191 Ibn Khaldún 159 et seqq.)

The appointment of the Imám is according to the orthodox opinion dictated by the Law (نصب الامام واجب سمعاً ان رجوب نصب الامام بالسر) The Mu'tazila and the Zaidiyya consider it merely expedient in accordance with the dictates of reason while the Ismá'iliyya and the Imámiyya say that it belongs to God only to appoint an Imám and the Khawárij are of opinion that there is no necessity for the appointment of an Imám at all (Jowh 191 192 Mawáqif 603)

¹ شرط الاسلام A non Muslim cannot care for the true interests of Islam. He must be of full age (شرط البلوغ والعقل) for children or insane persons are not able to manage their own affairs much less those of Islam. He must be a free man (شرط الحرية) not a slave (رهيق) whose mind is taken up with the concerns of his master and who enjoys not sufficient respect. He must not be impious (شرط عدم الفسق) for no one would have sufficient confidence in him. He must be just (شرط العدل) if only outwardly. He must be a Quraish (ان يكون قرشياً), for Muhammad is reported to have said "The Imáms must be from the Quraish. The Shi'ahs pretend that being a Quraish he ought to be of the family of the Hâshimites also (ان يكون هاشمياً)

The author of the *Sharhul Mawâqif* says that with regard to the first five qualifications they are by common consent necessary qualifications but as regards the sixth qualification i.e. his being a Quraish there are different opinions the *Khawârij* and the *Mu'tazila* being of opinion that it is not a qualification required of necessity the Prophet having said Obey the Imâm even if he be an Abyssinian slave He explains, however that the Prophet in giving such advice could not have meant the Khalîf but he must have referred to an Amîr (امير) or Commander appointed by and under the order of the Khalîf for such an explanation he says is required in order to reconcile the two contradictory sayings of the Prophet

According to some authorities the Imâm in addition to the qualifications just enumerated must possess the following also

- (1) He must be a man of learning in the roots and branches of the science of religion (مجتهد في الأصول والفروع) i.e. in theology and jurisprudence
- (2) He must understand the art of war leading an army concluding peace etc (دوراي وبصاره تدبير الحرب والسلام و تربيت الجيوش وحفظ الثغور)
- (3) He must be courageous (شجاع)

But as these three qualifications are rarely found united in the same individual it is said that they cannot be required as necessary qualifications of the Imâm and the majority therefore agree that the six qualifications (p 112) suffice to make a man eligible for the Imâmâte (*Mawâqif* 605)

These qualifications the Imâm must possess at the time of his election and appointment (هذه الشروط اما هي في الابدان او حالة الاختيار) Should he afterwards become defective concerning them or should he have assumed the office by force when once appointed he is to be considered the rightful Imâm and obeyed in whatever he commands or forbids even though he should be unfit and unworthy

The belief in the necessity of the appointment of an Imâm is not an article of faith so that he who does not accept it is not to be considered an infidel (ليس ركبا يعتقد في مواعد الدين) (*Jowh* 190 *et seqq*) With the orthodox school it belongs to the secondary doctrines (فروع) while with the Shî'ahs it is an article of faith and of the first importance (*Mawâqif* 606) من أصول الديانات والعقائد

It is the duty of every Muslim to obey the Imâm inwardly and outwardly (يجب طاعة الامام على جميع الوجوه ظاهرا و باطنا) so long as his commands and prohibitions are in harmony with the doctrines of Islâm Should he give orders contrary to the same i.e. positively wrong (حرام) or objectionable (مكررة) he is not to be obeyed When he commands

The first four Khalifs¹ Abu Bakr, Umar Uthmán and Ali are called by the Sunnis the rightly directed Khalifs (الجله والراسدين) and are considered to have possessed the perfect Khalifate (الجله الكامله) in distinction from their successors who are not considered as such.

The Imamate is one of the four points on which many and angry controversies have arisen among Muslims, and which have given rise to the formation of a number of sects the chief of which are the Khawárij and the Shi'ah²

what is allowable (مباح) if his orders are such as tend to promote the interests of the Muslim nation they are to be obeyed if not there is no obligation on the Muslim to obey them

If he should command a thing which implies infidelity Muslims are to give up their allegiance to him if possible publicly if not then at least secretly This is the only reason for which the allegiance may be given up or for which he may be deposed

(إذا أمر بكفر فاطرحوا تبعه جهراً فان لم تقدر على الجهر بذلك فاطرحوها سراً - وبغير هذا لا يباح مرقه أى خلعه من الامامه)

Even if he should lose the qualification of justice (العدالة) and become an impious unjust or cruel tyrant this would not be a sufficient reason for his deposition (لا تغزل ان ازيل وصف العدالة) some however allow it under these circumstances (Jowh 192)

¹ The first rightful Imám after Muhammad was Abu Bakr The Shi'ahs on the contrary regard Ali as the first or rightful Imám and are of opinion that he and not Abu Bakr ought to have been appointed the first Khalif According to their traditions Muhammad had distinctly nominated Ali as his successor (For details on the subject see Mawáqif 606-616) Muhammad is also reported to have said The Khalifate after me will last for thirty years then it will become a kingdom (الخلافة بعدى ثلاثون سنة ثم ملكا عموماً) (Mawáqif 613 614)

² عوارج ال خارجى The first of this sect were the twelve thousand men who revolted from Ali after they had fought under him at the battle of Siffin taking offence at his submitting the decision of his right to the Khalifate which 3fu áwya disputed with him to arbitration though

If several Imams have been chosen and appointed in the same country the one who has been first appointed is to be considered the rightful Imam and the others are to be opposed and if they refuse to abdicate they are to be considered rebels (من العدا) and ought to be fought against till they be overcome

they had first obliged him to do it. They blamed Ali for referring a matter concerning the religion of God to the judgment of man. They held the opinion that a man may be made Khalif though he was not of the tribe of the Quraish nor even a free man provided he possessed the other necessary qualities. That there was no absolute necessity for any Imamate in the world. They charged Ali with sin and went so far as to declare him guilty of infidelity and to curse him. They also reject Uthmán

السبعة followers companions from هاجع to follow to accompany. They in opposition to the Khawarij maintain that Ali was the first legitimate Imám and that he ought to have been appointed is the first successor of the Prophet and not Abu Bakr. They therefore reject Abu Bakr Umar and Uthmán as usurpers and say that the Imámate belongs of right to Ali and his descendants. They are also of opinion that the office of Imám is a fundamental affair of religion and one of the foundations of faith and does not depend on the will of the vulgar. Though widely differing among themselves on certain points connected with the subject they all agree on the following (1) the necessity of appointing an Imám of his being specially designated and appointed by the proper authority (وجوب العنص والسمي) (2) that the Imám is as a matter of necessity exempt from committing great as well as small sins (موت عمدة الأمة) (3) that every one ought publicly to declare whom he adheres to and from whom he separates himself by word deed or engagement except in time of great fear. Many of the Shi'ahs carried their veneration for Ali and his descendants so far that they transgressed all bounds of reason and decency though some of them were less extravagant than others. The branch of the Ghália (غلاة) extravagant fanatic raised their Imáms (descendants of Ali) above the degrees of created beings and attributed to them divine properties. Some affirmed that Ali was not dead but would return again in the clouds and fill the earth with justice. They held the doctrine of metempsychosis and what they call the immanency the indwelling of God in man (الجلول) (See Ibn Khaldún i 150 ff Sharastani ii 132 Sale 125)

Should it be difficult to decide who was first appointed, they are all to be deposed and a new choice is to take place. Should the country however, be so extensive that it would be impossible for one man to direct the affairs of the property of the Muslims, it will be a question for the consideration of learned men (المجتهدين) to decide whether another Imám may be appointed or not. The sect of the Jarudiyya, in opposition to the Sunnī doctrine, believe that there may exist several rightful Imams even in a small country and that every descendant of Fatima if he draws the sword with the intention of calling people to embrace Islam and is learned and courageous is an Imám and may be appointed as such, and is to be obeyed.

The Muslim nation, as they have the right to elect and appoint an Imam so they have the right to depose him for any cause justifying their doing so. Such a cause would be, if he commits acts which tend to bring ruin on the Muslim nation or endanger the religion of Islám. If such a deposition should become the cause of internal war and rebellion, the smaller evil (war, rebellion) will have to be borne with submission.

CHAPTER IV

FIQH

Fiqh (فقه) includes religious, ceremonial civil and moral laws and regulations. It properly means knowledge science in general but has been adopted as the technical term to designate the science of the Law of Islām. The preceding chapters of this book deal only with the theoretical part (dogmatics), this one treats of the practical part. Fiqh is also called *علم العرور* or knowledge of the branches as distinguished from *علم الأصول* or knowledge of the roots¹. The dogmas, articles of faith are considered the roots, and the laws and regulations concerning worship religious practice, civil transactions and jurisprudence are considered the branches springing out of and derived from the roots. The regulations, ordinances and decisions are (*الاحكام*) derived from the Qur'an the Sunna, the Ijma and Qias.

These then are the sources from which Fiqh is derived. It is however, necessary that the Muslim should rightly understand and interpret the same, and certain principles

¹ (الفقه هو العلم بالاحكام الشرعية الفرعية المكتسب من ادلتها التفصيلية)

Some say that a man is a *فقيه* a Lawyer a Jurist when he knows the laws and regulations together with the proofs in support of the same from the Qur'an Sunna Ijma and Qias the majority however agree that a man may be considered a Faqih if he knows the laws and regulations and without being able to produce the proofs in support of the same that he need not even know them all. Some take a higher view of the Faqih and say that if he combines good works with the knowledge of the Law he deserves to be called a Faqih.

(Ibn 'Abidin : 28 Ghazali : 21) *الفقه الجمع بين العلم والعمل*

and rules have therefore, been laid down according to which the Qur'an and the Hadith must be interpreted. It must also be known how the Ijma and the Qias are to be understood and how questions are to be decided and deductions to be made by means of the same. To deal with these questions is the object of the *أصول الفقه*¹

From early times great differences existed on a variety of questions connected with Fiqh and everyone adopted the opinion which recommended itself to his own mind. This state of things continued for some time until the differences greatly increased. When the systems of the four great Imáms became generally adopted their decisions were received on all controverted questions and all other opinions of minor authority rejected. The students then began to examine and compare the decisions of the four Imáms and to discuss the relative value of the same

¹ The early Muslims says Ibn Khaldún were not in want of this branch of religious science as their exact knowledge of the Arabic language enabled them to find out the various meanings conveyed by the text not did they require the study of the Isnád or the chain of narrators of a Tradition for they personally knew and conversed with the men who first reported the Traditions. When the first generation of Muslims had disappeared the necessity made itself felt of acquiring by artificial means and special exertion the knowledge which their predecessors had naturally possessed. A code of rules and principles was therefore laid down (See Faith of Islám pp. 28-30)

The Imám Sháfi'í was the first who composed a work on this subject by dictating to his disciples his famous treatise on what is commanded by the Law and what is forbidden on abrogation and the manner of analogical deduction. After his time jurists of the Hanafí School and the men of scholastic theology wrote many treatises on the subject and considerably developed the new branch of theological science. The best works written by earlier divines on the subject are the *برهان* of the Imám al-Haramain, the *مستقى* by Ghazalí the *كتاب الأصول* by Fakhr al-dín and the *كتاب الأحكام* by Saifu d-dín al-Amadí and the *معجم الجوامع* of Ibnu s-Sabkí with a commentary by Bannánu

each endeavouring to defend the opinion of the Imam whose system he followed and thus sprang up a special branch of learning called علم الجدل

Among the best works on this subject may be mentioned the كتاب الماحد of Ghazālī. The science of disputing on these controverted points called علم الجدل dialectics lays down the laws and rules to be observed in carrying on controversy with an opponent whether to refute the opinion of the opponent or to defend one's own (هو معرفة آداب المناظرة التي يحرى بها أهل المذاهب الفقهية) For details see Ibn Khaldun 1 278 381¹ و عندهم

¹ It may be useful at this stage to explain the meaning of several technical terms which are of frequent occurrence

فرض (from فرض to order to command to make incumbent) designates a duty absolutely obligatory according to a command of the Qur'ān or the Hadith

فرض عمن is an absolute duty incumbent on every individual believer male or female free or slave such as prayer fasting etc

فرض كفاية is a duty which is not incumbent on every Muslim but which if fulfilled by some members of the community (some say one in eight or ten suffices) is considered to be as good as if the whole community had fulfilled it. Such duties are the attending a funeral visiting the sick accepting an invitation to dinner

واجب a duty obligatory on the Muslim but not in the same degree as فرض

سنة a duty in so far as it was practised by the Prophet. It is laudable to imitate his example

مستحب a praiseworthy act. It is desirable to conform to this

مباح allowed licit desirable but it is a duty which may be omitted without fear of committing a sin

حلال a thing lawful licit honestly acquired

حرام something unlawful illicit forbidden dishonestly acquired

مكروه a thing not exactly forbidden but disliked it is to be avoided

The subjects treated of in the Science of Fiqh are according to Ibn 'Abidin (1 58)

- (1) The **عادات**, or laws concerning worship, religious duties, rites and ceremonies
 - (2) The **معاملات**, or laws concerning dealings between man and man
 - (3) The **عقوبات** or laws concerning the punishments to be inflicted on transgressors of the law
- The duties to be treated of under **عادات** are
- (1) Prayer (**صلاة**) including purification, ablutions (**يطهر - طهارة**)
 - (2) Alms, tithes poor-rates (**زكاة**)
 - (3) Fasting, (**صوم**)
 - (4) Pilgrimage, (**حج**)
 - (5) To these some add Holy War (**جهاد**)

The first fundamental point of religious practice as required by the Qur'an is prayer. In order to be able properly and acceptably to perform his prayers the Muslim must first purify himself i.e. he must be clean from

مندوب a duty recommended

ممنوع a duty prohibited forbidden

حسن good and lawful duty performed by the responsible Muslim comprising what is obligatory, and laudable

(**الحسن فعل المكلف المدين فيه واجبا ومندوبا ومباحا**)

قبح, is something bad hideous, forbidden

The learned Bairani says that **فرض** and **واجب** are synonymous (**مترادف**), and also **مندوب**, **مستحب**, **تطوع**, **سنة**. Some like Abū Hanifa differ from him but Bairani says they are differences in words only (1 50 *et seq.*)

from all material and all legal or ceremonial impurities so that he may present his prayers whilst he is in a state of purity (علي طهارة) Before treating of prayer, we must treat of purification as the preliminary preparation for the same

PURIFICATION¹—The purity required of the Muslim as a necessary preparation for prayer is according to the Qur'an and Traditions the purity from outward material as well as from legal ceremonial uncleanness

(الندوة عن الادبائي - الطهارة عن حدث وحدث)

Before we proceed to describe the various kinds of purification ablutions, and washings and the manner of performing the same, it will be necessary to show what according to Muslim law is considered unclean and polluting and what therefore, are the things from which a Muslim must cleanse and purify himself in order to

1 The Qur'an gives the following general precepts on this duty O ye believers when you rise up to prayer wash your faces and your hands as far as the elbows and wipe your heads and your feet to the ankles and if you are polluted (جباً) then purify yourselves (Sura v 8 9) See also Suras iv 46 ix 109 lvi 78 He sent you down water from heaven that he might thereby cleanse you and cause the pollution of Satan to pass from you (Sura viii 11)

Muhammad used to say Purification that is ablution washing bathing is the key of prayer (مفتاح الصلاة الطهور) Religion is built on cleanliness (بنى الدين على الطهارة) and Purity is one half of faith (الطهارة نصف الايمان) Ibn Abidin says The state of impurity prevents prayer puts a lock to the door of prayer purification is the key which removes the lock

Ghazali quotes the following sayings of the Prophet on the necessity of purification God accepts no prayer without previous ablution

He who performs the Wudu (وُضُو) in the proper manner will be cleansed of his sins — He who performs the ablution when he is already clean (على طهر) God will account it for ten good actions (Bukhari i.

24 51 Kashf i 42 98)

be clean or in a state of purity (سلي طهارة - طاهر) There are three kinds¹ of things which defile a Muslim and from which it is consequently his duty to purify himself

- (1) Filth ordure (حَدَث) (2) Legal, ceremonial impurity (نَجَاسَة) (3) Superfluities of the body (فُضَالَة)

The only means by which impurities can be removed is water²

¹ Gross excrement ordure filth حَدَث impurities contracted by voiding of ordure فُضَالَة superfluities such as long nails hair etc Impurities are also divided into (1) real material substantial impurities (نَجَاسَة حَقِيقَة) which may be either greater (نَجَاسَة مُعَظَّمَة) or smaller (نَجَاسَة مُصَغَّرَة) (2) legal ceremonial impurity (نَجَاسَة حُكْمِيَّة) which may consist in a greater (حَدَث أَكْبَر) or smaller defilement (Ghazālī : 83) Substantial material impurities (المرال اَعْيَان) may be either inanimate things (جَمَادَات) or animals (حَيَوَانَات) or parts of animals (أجزاء حيوانات)

Inanimate things are all clean and do not defile except wine (خمر) and all intoxicating drinks Animals are all clean except the dog and pig (خنزير) When dead however all animals are unclean except man fish locusts worms in apples insects like the fly and the beetle Of parts of animals some are clean some unclean Of some of the defiling substances a small quantity does not defile e.g a small quantity of dirt of the street a little blood caused by lice or fleas (For more details see Ghazālī : 83)

² There are various and conflicting opinions on the subject of the cleanness or uncleanness of water and the most minute, difficult and puzzling distinctions are made by the learned doctors of the four Orthodox Schools on the most important subject of finding out whether a certain kind of water is clean or unclean On the whole however the rule generally accepted is that water the taste colour or smell of which has not been changed, is to be considered as clean Muhammad said عَلَى الْمَاءِ طَهَرًا لَا يَنْجَسُهُ شَيْءٌ إِلَّا مَا غَيَّرَ طَعْمَهُ أَوْ لَوْنَهُ أَوْ رَائِحَتَهُ (Ghazālī (i 83) deplors the importance attached to this subject and the scruples and doubts it causes to many pious Muslims and mentions that at the time

The purification from any legal, or ceremonial impurity (طهارة الاحداث) is made according to circumstances, in one or more of the following ways¹

(1) Abstersion called Istinja' (استنجا)

of the Prophet to the end of the period of the Companions no such importance was attached to the subject. Indeed Umar once performed his ablutions from water in the jar of a Christian woman. Muhammad said

When water amounts to two large jars (ملا) it does not admit impurity (Kashf: 44 50 Ghazali: 83 84)

In order to remove substantial impurities (كيفية الارالة) it is not sufficient to pour water over them. It is necessary to remove the unclean substance itself by rubbing and scratching and wringing till the smell taste and colour of the impure substance have been removed

(ان كانت المصاصة عتيه فلا بد من ازاله العين)

¹ Before explaining the manner of performing the above operations Ghazali considers it necessary to mention a number of regulations to be observed during natural evacuations (Ihya' 1 85) في آداب قضا الحاجة

When the Muslim goes to ease himself he must remove to a distance and if possible hide himself behind some object so that he may not be seen by men. He must not turn his face or his back to the sun or the moon or the Ka'ba except he be within a building nor use his right hand for washing or removing impurities. On entering he is to put forward the left foot on coming out the right. Certain prayers are to be said on entering. I take my refuge to God from the devil

(اعوذ بالله من الحمد لله الذي اذهب عني ما يؤذي وابقى)

الرجس الجسم المحبب الشيطان الرجيم على ما ينبغي)

Istinja' (استنجا) abstersion (from نجا to escape) means to deliver oneself from impurity or to clean oneself with pebbles and water (هو ازالة نجس من احد السبلين الماء والبول) by wiping it off by means of three, four or, if necessary five pebbles taken with the left hand and then washing the parts of the body with water. When finished the following ejaculation is said اللهم طهر قلبي من النفاق وحق فرجي. When Sura ix 109 was revealed. Therein are men who aspire to purity for God loveth the purified? the Prophet asked the people of Kufa. What is meant by this cleanliness (طهارة) for which God praises you to which they replied. We used (in our lustration)

- (2) Partial ablution, called Wudú (وضوء)
 (3) Total ablution, immersion, bathing called Ghusl (غسل)

both water and stone كما يجمع بين الماء والحجر الاستنجا وآداب دخول الحلة، والخروج منه (Ghazālī : 85 Ibn Abidin : 245 256)

Muhammad affirmed that Gabriel taught him how to perform the Istinjā by performing it before him (Kashf : 54 55)

Wudū وضوء from وها to wash perform ablutions is a partial ablution the performance of which rests on the command of the Qur'ān O ye who believe! when ye rise up to prayer wash your faces, and your hands as far as the elbow and wipe your heads, and your feet to the ankles (Sura v 8)

Muhammad, before performing the Wudu used to clean his teeth with the miswāk (مسواك) a kind of tooth brush made of fibrous wood, about a span long and ordered his followers to do the same for he said

Your mouths are the paths of the Qur'ān make them sweet-smelling with the siwāk. The use of the siwāk is therefore considered a Sunna duty (سنة مؤكدة) On using it the believer must propose to himself to cleanse his mouth for the reading of the Qur'ān and for mentioning God's name in prayer (يتوكل على الله تعالى في الصلاة) Muhammad used to say One prayer after the use of the siwāk is more excellent than seventy five without it (For further details on the importance and benefits derived from the use of the siwāk see (Ghazālī : 86. Ibn Abidin : 83-85)

After having done with the siwāk, the believer makes the Wudu He sits down facing the Qibla and says In the name of the Gracious, the Merciful I take my refuge unto Thee from the instigations of the devils I take my refuge unto Thee O Lord lest they approach me —

باسم الله الرحمن الرحيم أعوذ بك من همرات الشياطين و أعوذ بك رب أن يضروني

Then he washes his hands three times before dipping them into the vessel used for his ablutions, saying O God I ask Thee for prosperity and blessing and flee to Thee from misfortune and ruin

(اللهم أسألك الخير والبركة و أعوذ بك من الشر والهلاك)

Then he proposes in his mind the removal of all impurity and thereby makes the performance of prayer legal for himself

(4) Ablution with fine sand, called Tayammum (تَيَمُّم).

(ثم يترى رفع الجنب واستباحة الصلاة) In this state of inward proposal and intention he must remain till he comes to the washing of the face

Then he rinses his mouth (يتمضمض) three times and gargles (يغرغر) saying O God help me to read Thy Book and to multiply the mention of Thy name (اللهم أعني على تلاوة كتابك وكثرة الذكر لك)

Then he takes a handful of water and snuffs it up thrice into his nostrils saying while doing so O God create in me the smell of Paradise and be pleased with me then he blows out the water again three times by compressing his nostrils with the thumbs and the fore-fingers of the left hand saying while he does so I take refuge unto Thee from the smell of hell fire and from the evil of that abode

(اللهم أعوذ بك من روائح النار ومن سوء الدار)

He then throws the water into his face three times from the top of the forehead downward to the chin and from one ear to the other not forgetting to wash the roots of all hairy parts of the face and body and letting the water flow from his beard and combing it thrice with the fingers of his right hand passing the fingers through the beard from the throat upwards. The eye holes also (مخارج العينين) must be carefully washed

While performing these operations he repeats at every part which he washes the following petition O God make white my face with Thy light on the day when the faces of Thy saints become white (i.e. pale from fright) and do not cause my face to become black on the day the faces of thy enemies become black

اللهم بديح وجهي يوم تبيض وجوه أوليائك ولا تسود وجهي بظلماتك يوم تسود وجوه أعدائك (Ghazālī i 86)

He next washes his hands and arms (يذهب إلى مرفقيه) up to the elbows three times causing the water to run along his arm from the palm of the hand to the elbow. Beginning with the right arm he says O God, give me my book (of account) in my right-hand and make a small account with me (اللهم أعطني كتابي بيمين وحاسبني حساباً يسيراً)

On washing the left arm, he says O God I take my refuge unto Thee that I may not have my book given into my left hand or behind my back

(اللهم أني أعوذ بك أن تعطيني كتابي بشمال أو من وراء ظهري) He then washes his whole head, rubbing it all over with both hands from the front to the back thrice (one rubbing backward and forward being counted

When the Wudu has been properly performed, it is valid for the five daily prayers and need not be repeated

as one rubbing (مسحة واحدة) so doing he says O God cover me with Thy mercy and send down upon me Thy blessing and shade me with the shade of Thy Throne on the day there is no shade but Thy shade (اللهم غشى برحمتك وأنزل على من برحمتك واطلى تحت ظل عرشك) He then takes a fresh handful of water and washes the outer as well as the inner parts of his ears by putting the tips of his forefingers into his ears and twisting them round passing his thumbs at the same time the back of the ears from the bottom upwards. While doing so he says O God let me be of the number of those who hear the words and follow the best of it O God let me hear the call of Paradise with the righteous (اللهم اجعلني من الذين يسمعون القول و يتبعون أحسنه اللهم أسمعني منادى الجنة مع الأبرار)

Then he takes fresh water and washes the neck with both hands making the ends of the fingers meet behind the neck While so doing he says Deliver my neck from hell fire I take my refuge unto Thee from chains and bonds (اللهم فك رقبي من النار وأعوذ بك من السلاسل والأغلال) Lastly he washes his feet as high up as the middle between the feet and the knees thrice Beginning with the right foot he says O God cause my feet to stand firm on the straight path on the day when the feet slip into hell fire (اللهم ثبت قدمي على الصراط المستقيم يوم تزل الأقدام في النار) Then washing the left foot he says I take my refuge unto Thee lest my foot slip on the path on the day when the wicked slip into hell fire (أعوذ بك أن تزل قدمي على الصراط يوم تزل أقدام المذنبين في النار) He must also be careful to pass the wet fingers of his left hand between the toes and the water must reach the middle between the foot and the knee (Sura 8) * إلى الكافرين The Qur'an says (إلى أئمة الساميين)

When all this is done he lifts up his head towards heaven and says I testify that there is no God but God and that there is no partner to Him and that Muhammad is the servant and Messenger (أشهد أن لا إله إلا الله وحده لا شريك له وأشهد أن محمداً عبده ورسوله - سبحانك اللهم وبحمدك لا إله إلا أنت - عملت سوءاً وظلمت نفسي - استغفرُكَ اللهم والتوب إليك - لا يغفرُني وتب عليّ أنت انتواب الرحيم اللهم اجعلني من التوابين واجعلني من المطهرين واجعلني من عبادك الصالحين واجعلني عبداً صبوراً شكوراً - واجعلني أذكرك لذكراً كثيراً وأسبحك بكرةً وأصيلاً

unless it has been rendered invalid by the person's having contracted one of the lesser impurities¹ (حدث أصغر), in which case he has to repeat it

The petitions to be repeated during the abovementioned manipulations are not obligatory (فرض) but only laudable (مستحب) and various other petitions may be used instead. This mode of performing the Wudu has been given from (Rasā'il al-Ibā' (i 8).

¹ The defilements which render Wudu invalid (ما يفسد الوضوء) and therefore require a new ablution before prayer can be performed are (1) ordinary natural evacuations of the body (2) extraordinary secretions (3) worms gravel stones (4) blood matter coming in contact with parts which must be washed in Wudu (5) vomiting food blood bile (6) insanity (7) drunkenness (8) swoon or temporary absence of mind (9) laughter at the time of prayer (10) voluptuous embraces (11) sleep (Ibn 'Abidin : 98-104)

Wudu is absolutely obligatory (فرض) before performing prayer canonical as well as supererogatory (فرضها وظلها). It is desirable laudable (واجب) but not obligatory before touching the Qur'ān or on performing the procession round the Ka'ba at the time of the pilgrimage (طواف) (Ibn 'Abidin : 66). It is a laudable custom also (سنة) before going to sleep.

Ibn 'Abbās said that the command (فرض الوضوء) was given at Mecca but the revelation concerning the same in the Qur'ān was only given at Madīna. As regards the blessings of the Wudu Muḥammad said "When the Muslim performs his ablutions all his sins will be forgiven him" (Kashf : 60-64). As regards the necessity of performing the Wudu he said "God accepts no prayer without ablution" (إن الله لا يقبل صلاةً).

(بغير طهور). Abu Huraira mentioned to a man from Hadramaut the necessity of ablution after having defiled himself (حدث) whereupon the Hadramauti enquired "What is حدث to which" Abu Huraira replied "عسا أو غرط" (Bukhārī : 23). Intention must be combined with Wudu (not as فرض but as سنة). The Sunna of Wudu i.e. things it is a duty to observe in imitation of the custom of the Prophet though they are not an absolutely obligatory duty are (1) the use of the siwāk (سواك) (2) washing of hands (غسل اليدين), (3) rinsing of the mouth, snuffing up and blowing out the water (الاستنساخ - الاستنساخ - الاستنساخ), (4) disjoining the hair of the beard and the fingers (تخليل اللحية والأصابع), (5) the rubbing of the

A greater defilement,¹ (حدث أكبر) cannot be removed by partial ablution (Wudú) but requires a total immersion in water. This washing or bathing of the whole body is called Ghusl (غسل). It is founded on the express injunction of the Qurán. If you are polluted (حسباً) then purify yourselves (Sura v 9)

The Muslim intending to perform the Ghusl² places the vessel containing the water for his ablution on the

ears (مسح الأذن) (6) the pouring out of the water over all the parts of the body (مقدار الماء), (7) the quantity of water to be used (امسح الوضوء), (8) the towel (المديل) used for drying after the Wudú (9) mention of the name of God and supplication (الدعاء والسسمية) (10) consecutiveness (الموالاتة) that is observing the consecutive order in performing the Wudu (Kashf i 65 70)

A Muslim in the Mosque who fears that something renders his Wudu invalid is not to leave it in order to perform a new ablution till he has clear proof of it and that he has become محدب or impure. Muhammad said (Kashf i 71) فلا يخرج حتى يسمع صوتاً أو يجد رجلاً, he also said

Umar said لا يقبل الله صلاة من أحدث حتى يموتها He who has touched the cross of a Christian let him perform the ablution (Kashf i 73-77)

Muhammad often merely touched his boots instead of washing his feet (المسح على الحفصين) Kashf. i 77 Bukhārī i 39) It is admitted by the Muslim doctors that Wudu was practiced by other people before Islām (Ibn Abidin i 67 Sale 74 75)

¹ A Muslim man or woman is in a state of greater defilement (جناية) greater defilement by (1) pollutio nocturna (مخرج المنى - احتلام) (2) coitus (خروج المنى - احتلام) (3) menses (الحيض - الحيض), (4) puerperium (النقاء الجنائس جماع) On these occasions Ghusl is absolutely obligatory (فرض), on other occasions such as before Friday prayer on the two great Festivals on entering Mecca after having washed the dead after blood letting Ghusl is only Sunna (غسل مستنون), or a praiseworthy and meritorious act (Ibn Abidin i 124 Ghazālī i 87 88) A woman is considered unclean for the space of twenty five to forty days after childbirth (نفساء) and for three to ten days at the time of her menstruation (See Sāra ii 222)

right hand then mentions the name of God then washes his hands thrice,¹ then performs the Instinjá then removes any impurity that may cleave to his body then performs the Wuddú in the manner before described, except that the washing of the feet is delayed After this he pours out the water three times over his head and on the right and left side and then rubs the front and back part of his body and combs the hair of his head and beard with his fingers A woman need not undo her hair except she fears the water may not penetrate sufficiently

When the Muslim does not find water or is prevented by some weighty reason, as illness or extreme scarcity of water etc from performing his ablutions with water he may perform the same with fine clean sand or earth (الدمع) This is called Tayammum² (نواب - صعيد)

¹ The chief points (أركان) to be observed in Ghusl are (1) the proposal intention (2) that the water should touch all parts of the body (استيعاب البدن بالماء) Ibn Abidin says that a person (male or female) in a state of جنابة may not enter or walk through a mosque nor read or even touch the Qur'án nor read the Taurat or the Psalms or the Injil these also being the Word of God Christians are not allowed to touch the Qur'án but there is no harm in instructing them in the same in the hope that they may be guided aright (For further details on the subject of Ghusl see Ibn Abidin 1 111 131)

Ibn Umar says Prayers were at first fifty and Ghusl from janaba (الغسل من الجنابة) seven times and Ghusl from urine from the coat (غسل البول من الثوب) seven times the apostle of God did not however cease to entreat his Lord on the day of the heavenly journey (ليلة الإسراء) till he reduced the daily prayers to five and the Ghusl from janaba to one only For a detailed account of the sexual intercourse which requires Ghusl and that which does not require it and the manner in which Muhammad used to perform the Ghusl see Ibn Abidin s 1 Buhārī 1 40 42 Kashf 1 79-88 Muhammad ordered those who wished to embrace Islām to perform the Ghusl to have their heads shaved and to be circumcised (النكاح مع الكفر وأحسن)

² This practice rests on the command of the Qur'án If you are ill or on a journey or any of you come from easing himself or you have touched

Ghazālī and some other doctors of Islam, of the more spiritual minded and idealizing sort pretend that the purification here meant is not merely or chiefly outward purification by water and sand but inward purification of the heart and mind. Ghazālī distinguishes four kinds or

(تقليم الأظفار) superfluity of the nails (زيادة السرة) which is removed at the birth of the child the foreskin (فلسه الجسفة) which is to be removed by circumcision (الطهر بالحنان) The circumcision should be delayed until the child has shed its teeth when it is said to be less dangerous. Muhammad said Circumcision is Sunna for male an honorable act for females (الحنان سنة للرجال مكروه للنساء) He said to Umm Atiyya who used to circumcise females (the act of circumcising a female : جففى)

Do not exceed the bounds in circumcision. The beard if too long is to be cut off. The normal length of the beard is however a matter of dispute. Ghazālī gives a detailed description of ten bad methods of dealing with the same among them the customs of dyeing or tearing out of gray hair which the Muslim ought to avoid. (Ghazālī : 90-92)

It is a remarkable fact that circumcision is neither commanded nor even once alluded to in the Qur'ān though it is now considered incumbent on every Muslim. There is also no authentic account of Muhammad's having been circumcised. Some writers pretend that he was born circumcised (ولد معذورا أى مجنونا) but this is denied by the most eminent scholars.

Those who deny that he was born circumcised say that even if this were the case it would not be a special privilege of the Prophet as many children are born with a kind of circumcision (لأن العرب يزعم أن الفلام إذا

ولد في القفر فسحب فلسه أى استعصب فصر كالحنون) It is generally admitted that circumcision is not a duty involving the degree of absolute obligation (فرض) some are of opinion that it is of the degree called واجب that is a duty incumbent on the believer though not absolutely obligatory. the majority are in favour of its being only Sunna (سنة) that is a degree lower than واجب. In the case of a convert to Islam from some other creed to whom the operation may be an occasion of great suffering it can be dispensed with although it is considered expedient and proper for all new converts to be circumcised. (For details on the subject and arguments in favour and against see Mawāhib : 149-156 see also The Dictionary of Islam 57 Sale .6.)

degrees of purifications which he says, are implied in the purification commanded in the Qur'an

(الطهارة اربع مراتب)

1 Cleansing the body from all pollution, filth and superfluities (تطهير الظاهر عن الاحداث والاصناف والعصايات)

2 Cleansing the members of the body from sins and transgressions (تطهير الجوارح عن الحرائم والآثام)

3 Cleansing the heart from blameable inclinations and odious vices (تطهير القلب عن الاغلاط المدمومة)

4 Cleansing the secret thoughts from everything except God (تطهير السر عما سوي الله)

Outward cleanliness he says is in comparison with inward purity as the shell compared with the kernel. If however we carefully compare all the passages of the Qur'an which speak of purification and purity it becomes evident to every unprejudiced reader that in none of them is there any reference to inward moral or spiritual purity of the heart but that what is required in them is the outward bodily cleansing by means of ablutions and washings. The celebrated collections of Traditions also as well as the standard works on Fiqh contain pages and pages of most minute and often obscene and disgusting explanations on what constitutes impurity and defilement which cannot be given here. In practice they do not allude to moral purity as a preparation for prayer. We see also to this day the most pious Muslims far more anxious concerning the outward and ceremonial than about inward and moral purity.

PRAYER¹ (صلاة) is the second of the five foundations or pillars on which Islam is built up. This most important

¹ Muhammad used to call prayer the pillar of Religion and the key of Paradise and that which caused man to be a true believer and

duty (فرض) of every Muslim is frequently enjoined in the Qur'an 'Glorify God when it is evening and morning and to him be praise in the heavens and the earth, and at afternoon and at noontide (Suras xxx 17, xi 116 xx 130 xvii 80, ii 40, iv 104)

وسئل أى الأعمال افضل فقال الصلاة لموافيقها - الصلاة عماد الدين فمن تركها هدم الدين (Ghazali: 93-94)

At the beginning of Islām Muhammad and his followers performed only two prayers the morning prayer before sunrise and the evening prayer after sunset Besides these they used regularly to spend a great part of the night in praying and reading the Qur'an When their health began to suffer in consequence of these night exercises this practice was given up and after it had been obligatory (فرض) it became optional (مطوع), and was left to the choice of every individual Ayesha says that God at first commanded the spending of the night (ميام الليل) in pious exercises mentioned in the Sūratu l Muzammil (lxxiii) which the Apostle and his companions observed for a whole year till their feet became swollen then God revealed the alleviation (الخياف) mentioned at the end of the Sura (Kashf: 98 see Sura lxxiii 1 8 and 20)

These two prayer times were observed till the famous night journey of Muhammad (ليلة الإسراء) when the five prayers (الصلوات الخمس) are said to have been appointed and this command holds good to the present day The change is not mentioned in the Qur'an but rests entirely on the sayings of the Prophet transmitted by Tradition Of the appointment of the five prayer times Muhammad gives the following account The divine injunctions for prayer were originally fifty times a day and as I passed Moses (in heaven during the night journey) he said to me What hast thou been ordered? I replied fifty times! Then he said Verily thy people will never be able to bear it I then returned to my Lord and asked for some remission, and ten prayers were taken off then I pleaded again and ten more were remitted and so until at last they were reduced to five times Then I went to Moses and he said How many prayers hast thou been ordered? and I replied Five and Moses said return to thy Lord and ask for a farther remittance but I said I have asked until I am quite ashamed I cannot ask him again (Bukhārī: 51 52)

Muhammad used to say Five prayers has God prescribed for his servants God has promised that he will cause him who performs them to enter Paradise (خميس صلوات كتبهن الله على العباد), they are therefore called

The five obligatory prayers¹ (or rather prayer services) are (1) Morning prayer (2) Noon prayer (3) Afternoon prayer (4) Evening prayer, (5) Night prayer

the stated the obligatory prayers (الصلاة المكتوبة - صلاة المفروضة) (On the meritoriousness of observing the five prayer times punctually see Ghazālī : 93 94)

It is worth noticing that the term صلاة is now used by Muslims only of the stated five prayer services or liturgical prayer hours while private prayer is called دعا (pl أدعاه from دعا = to call to supplicate to intercede)

¹ Morning prayer صلاة الصبح also called صلاة الفجر may be performed at any time between dawn and sunrise. When the sun has risen the time for morning prayer has passed. It is a prayer of two obligatory and two Sunna rak'as (ركعات pl ركعة Bowings)

Noon prayer صلاة الظهر begins from the inclination of the sun towards the west (من زوال الشمس) and close at the time when the shadow of a person shall be the length of his own stature which time makes the beginning of the afternoon prayer. This noon prayer consists of four obligatory and two Sunna rak'as after the obligatory rak'as.

Afternoon prayer may be said at the expiration of the time for noon prayer and then at any time the sun assumes a yellow appearance. It consists of four obligatory and four Sunna rak'as before the obligatory ones.

Evening prayer صلاة المغرب may be said after sunset and until the red appearance on the horizon disappears. It consists of three obligatory rak'as and two Sunna ones after them.

Night prayer (الصلاة الآخرة - صلاة العشاء) may be performed at any time between the time when the night has closed in and the beginning of dawn when morning prayer is due. It consists of four obligatory and four Sunna rak'as after them (Ghazālī : 122 Bukhārī : 73 82)

Though these prayers may be said at any time of the respective intervals mentioned and do not cease to be valid even when delayed till the latest portion of the appointed hour yet it is considered preferable and more meritorious not to delay but to recite them at as early a part of the prayer time as possible. Muhammad used to say on this subject. The worst thing I fear for my nation is their delaying prayer till after the appointed time or their hastening to perform it before the appointed time (Kashf : 100)

Besides these five obligatory prayers (or prayer services) there are other kinds of prayers which it is desirable and meritorious to perform also but on the character of which whether they are Sunna or only Wajib there is difference of opinion. These are The Witr prayer the Duha prayer the Tahajjud prayer¹

The manner of performing prayer is as follows

(كيفية لأعمال الطاهرة من الصلاة)

When the time of public prayer is come the Muazzin (المؤذن), standing near the Mosque or on the minaret (المنارة) calls to prayer by reciting the Azan (الأذان) with a

It has been calculated that a Muslim conscientiously performing his obligatory devotions (including three other prayer services *تهجد صبحی* mentioned hereafter) recites the same form of prayer at least seventy five times in the day

1 Witr prayer (صلاة الوتر - odd prayers from *وتر* odd) is so called because it consists of an odd number of rak'as (5 7) or of one single rak'a (فردة). It is to be performed after the night prayer (بعد صلاة العشاء) and to be the last prayer before the dawn of day

The Duha prayer (صلاة الضحى) is a forenoon prayer (في الوقت قبل الظهر when the sun is already high above the horizon) Muhammad used to make it a prayer of four or more but at the utmost of eight rak'as

The Tahajjud prayer (صلاة التهجد from *تهجد*, to sit up at night *التي هي*) is also called the prayer between the Ishā'in (إحسان العشاءين) said to be between the evening prayer (صلاة المغرب) and the night prayer (صلاة العشاء). It is considered incumbent on the Muslim and highly meritorious (مستحب موكدة) Muhammad used to make it a prayer of six rak'as

Besides these, Ghazālī mentions special prayers for every day and night of the week which he recommends as most profitable and meritorious. The obligatory prayers are *فريضة* the supererogatory voluntary prayers *نفل* (For traditions on the above statements and further explanations see Bukhār & Sahīh : 73 80)

loud voice thus "God is most great God is most great
 I testify that there is no God but God I testify
 that Muhammad is the Apostle of God come to prayer
 come to prosperity God is great There is no
 God but God

الله اكبر - الله اكبر - الله اكبر - الله اكبر - اشهد ان لا اله
 الا الله - اشهد ان لا اله الا الله - اشهد ان محمداً رسول الله - اشهد
 ان محمداً رسول الله - حي علي الصلاة - حي علي الصلاة - حي
 علي الصلاة - حي علي الصلاة - الله اكبر - الله اكبر - لا اله الا الله

This call to prayer takes place before every one of the
 five prayer services In the call to morning prayer after
 the words "Come to prosperity, the following sen-
 tence is added twice "Prayer is better than sleep
 (الصلاة خير من النوم).

When the believer hears this call to prayer it is desir-
 able that he should repeat what the Muazzin says except
 that instead of saying "Come to prayer, he says
 "There is no strength and no power except with God"
 (لا حول ولا قوة الا بالله) Should he, however, already be in
 the mosque when he hears the Azan he need not repeat it¹

¹ Having already performed his ablutions and removed all impurities
 from his body and his clothes, he repairs to the place of worship where-
 ever that may be (the mosque, which is more meritorious, a private room
 court or an open place) and there stands upright with his face turned
 towards the Qibla (القبلة) that is, the direction of the Ka'ba at Mecca)
 having carefully covered his nakedness (عورته) from the navel to the
 knees and placed his feet together yet not too closely

Muhammad especially warned his followers against two false posi-
 tions (1) joining the feet too closely together, called *معد* and (2) raising
 one foot somewhat above the other, called *مغن*, his legs and waist must
 stand quite erect and his arms down at the sides as to his head he
 is at liberty to hold it up or to bend it a little forward (اخراف) in sign

of humility the eyes are to be directed fixedly to the place which indicates the direction of the Qibla which is as a rule the Mihráb (محراب) If there is no Mihráb or prayer niche it is good for the worshipper to draw a line on the opposite wall in order to prevent the eyes from wandering and the thoughts from being distracted This upright position is called the Qiám (قيام)

In this position the worshipper recites the verse I take my refuge to the Lord of the nations (أعوذ برب الناس) If prayers are said in a mosque or there is at least a congregation large or small the call to prayer is repeated except that at the end are added the words Prayer has begun This is called the Iqama (إقامة, the beginning of prayer)

The worshipper still standing with his hands close to his sides proposes (يمر) to perform morning or evening obligatory or supererogatory prayer as the case may be by saying in a low voice I have purposed to offer to God with a sincere heart this morning or as the case may be with my face qibla wards two or as the case may be rak'at prayers Fard Sunna or Nafil This purpose he must constantly keep before his mind to the end of the Takbira (تكبيرة) This is called the Niyya (نية)

He then raises his hands to the height of his shoulders with the thumbs touching the lobules of the ears the fingers somewhat separated from each other and the palms of the hands toward the Qibla In this position he recites the Takbír praising God thus God is most high There is no God but God to God be praise

الله أكبر - الله أكبر - لا إله إلا الله - والله أكبر - الله أكبر والله الحمد

This Takbír is called تكبير الحرام a prayer of prohibition consecration because it prohibits the worshipper from saying or doing anything extraneous to prayer It is also called the تكبيرة الإفراج the opening beginning of praise because this is the first time in the prayer service in which it is recited Later on it occurs several times

Then he places his hands between the chest and the navel putting the palm of the right hand on the back of the left stretching out the fore and the middle finger and seizing the wrist of the left hand with the thumb and little finger While so standing he recites the opening invocation (دعا الإفراج) consisting of the تسميح or تهجد and the بعدد or taking refuge in God The Tasbîh is

سبحانك اللهم وبحمدك وبارك اسمك وعلی جَدِّك وجل ثناؤك ولا إله غيرك

Holiness to Thee O God! and praise be to Thee 'Great is Thy name great is Thy greatness there is no God but Thee The Ta'awwuz is

أعوذ بالله من الشيطان الرجيم, I take my refuge from the cursed Satan

Then follows the Fátîha or the 1st chapter of the Qur'án

After the Fátíha the worshipper recites a Sura or any portion of the Qur'an consisting at least of three verses. The worshipper is recommended to read from the long Suras in the morning and from the short ones in the evening. A Sura which is most commonly recited is the سورة الاخلاص (Sura 112) which says: He is God alone God the Eternal! He begetteth not and is not begotten and there is none like unto Him.

After having recited the portion of the Qur'an the worshipper performs the Ruqu (ركوع, bowing) in the following manner: standing upon his feet as before he inclines the upper part of his body so as to bring it in a horizontal position and places his hands upon his knees separating the fingers a little. He then repeats three times (or more up to seven times when there is no Imám who leads in prayer) Praise be my Lord the exalted One and glory be to Him! (سبحان ربى العظم وجمده). This is called the مكسرة الركوع the praise of Bowing.

He then raises himself up places the hands on either side and says: May God hear him who praises him! (سمع الله لمن حمده). This is called the سميع to which he adds: Praise be to Thee the fulness of the heaven and earth (ربا لك الحمد لا السموات ولا الأرض). This standing position must not be made too long except in a service of praise (صلاة السميع).

After the bowing the worshipper drops on his knees saying: God is Great and prostrates himself in such a manner that his knees the toes of his feet the palms of his hands the fingers close to each other the nose and the forehead touch the ground. In thus prostrating himself he must be careful to touch the ground first with his knees then with his hands then with the nose and the forehead taking care that the thumbs just touch the lobe of the ears. The elbow must not touch the side nor the stomach the thigh nor the thigh the calf of the leg. (The woman on the contrary keeps all the limbs of the body together). In this position called the سجود Sujūd or prostration he says: Praise be to thee O my Lord the most High! three times or more if he chooses. This Takbira is called مكسرة السجدة Takbira s Sajda or praise of the prostration.

Then he raises his head and body sinks backwards on his heels and thus half sitting half kneeling on his thighs he repeats the Takbira: God is Great. While in this posture called the جلوس (or sitting) he says: O Lord forgive me and have mercy upon me and grant me my portion and guide me (رب اغفرلى وارحمى و ارزقنى واهدنى).

He must not lengthen this sitting except in the prostration of praise. After this he sits up to rest a moment and then rises and stands erect repeating while doing so the takbira 'God is Great'. This is called

The total of these various postures with their respective prayers and praises constitutes what is called a rak'a (ركعة). Each full prayer service consists of a number of such rak'as.

The worshipper having completed the first rak'a, now performs the second in the same manner as the first beginning however with the Fátíha. At the end of every two rak'as as also after the last one instead of rising from his half kneeling, half sitting posture, he remains sitting on his left foot and placing his hands above his knees he says: Praise be to God and prayers and good works. Peace be on thee O Prophet, with the mercy of God and His blessing. This is called the Salutation, or greeting, (التهنئة). Then raising the first finger of the right hand he recites the Tashahhud (التشهد), the confession: "I testify that there is no God but God, and I testify that Muhammad is the apostle of God. At the end of all the rak'as that is, at the end of the respective prayer-service, he asks for blessings on Muhammad and his descendants saying: O God have mercy on Muhammad and his descendants. Thou art to be praised and Thou art great. O God bless Muhammad and his descendants as Thou didst have mercy on Abraham and his descendants. Thou art to be praised and Thou art great. O God bless Muhammad and his descendants. Thou art to be praised and Thou art great. This is called the Blessings (الصلوات). Then the Salutation (السلام) is said: 'Peace be on you and the Mercy of God,'¹ (Ghazālī 198)

the ركعة القيام the praise of standing up (For further details see Ghazālī 197-98. See also Faith of Islām pp. 257-268.)

¹ The two recording angels are supposed to be standing the one recording the good actions on the right the one recording the bad actions on

At the close of the prayer service the worshipper raises his hands as high as his chest with the palms towards heaven and offers up a 'Supplication' (دعاء العتوت) and when this is done he draws his hands over his face (مسح) as if to convey the blessing received from above to every part of the body

the left shoulder of the Muslim. Then the Muslim is to salute by turning to the right and left. By so doing (Hazali says) he is to have in view not only the two angels but also the congregation of Muslims.

¹ قنوت (from قنن to adore to worship God): adoration supplication. In these supplications the worshipper is not bound to certain prescribed forms but may use his own words. When prayer is ended the men remain standing at their places for a short time in order to allow the women who may have been standing behind to retire first.

Women who are bound to perform the prescribed prayer as well as men have to observe some slight alterations in the postures. For instance they are not to raise their hands as high as the men at the takbir and tahiyyah and at the tashahhud they are to place both their legs bent under them instead of stretching out one like the men.

All these rites and ceremonies are partly obligatory, partly in a less degree incumbent on the worshipper, partly praiseworthy and optional.

The obligatory things are according to (Hazali 199) the following twelve: -
 - الأعتدال عنه مائما - الألتا فى الركون - الفاتحة - الكبر - اللة
 - السؤء الأسر - اللموس للشهد الأعر - الأعتدال عنه مائدا - السؤء
 السلام الأول - الصلاة على النبى

Things which are Sunna are the following four: -
 روع الألبى فى مكبره
 والجلسة للسؤء - وعاء الأرفاع للقام - وعاء الهوى للركوع - الأعرام

The following are also considered Sunna: -
 العؤء - دعا الأسفاح
 الذكر فى الركون والسؤء - تكبرات الأتفات - قراء السؤء - قوله آمين
 - الدعاء فى أعر السؤء - الشهد الأول والصلاة للة على النبى - والأعتدال عنهما
 السلامة الثانية

The omission purposely or by forgetfulness of an obligatory part of prayer makes that prayer invalid and it must be performed again. The omission what is merely Sunna has not this bad effect (Hazali 199-100).

Friday (يوم الجمعة - الجمعة) is the day appointed by Muhammad as the day of solemn public and united prayer for Muslims. It rests on a direct command, (Sura li 9) It is the bounden duty (فرض عين) of every Muslim personally to attend public noon prayer with the congregation at the mosque.¹

Under things prohibited (المكروهات) in prayer may be mentioned the following which Muhammad commanded his followers to avoid

wrong position by either joining the feet too closely or raising the one a little above the other (مقد and مفق) wrong position in sitting on the ground (مدا) wrapping oneself up in a coat shirt and putting the hands inside (كف) raising the dress in front or behind when going to kneel down (اصحار) placing the hands on the waists (مواصلة) joining those parts of prayer between which there is to be a short pause (حاض - حاض) having small shoes which incommode the worshipper. A Muslim is also to avoid saying his prayers when hungry or angry or sleepy (Ghazali 1 98 99)

Muhammad and his followers while at Mecca used to worship with their faces towards the Ka ba that is the Ka ba was their Qibla after the flight to Madina however Muhammad in order to conciliate the Jews, adopted their Qibla and ordered prayers to be said with faces turned towards Jerusalem. When after the space of about sixteen months he despaired of winning over the Jews to Islam he changed it back to the Ka ba again. When one day he performed noon prayer in the new mosque of Madina with a large congregation behind him he suddenly in the midst of prayer turned round and completed prayer with his face towards the Ka ba and all the congregation followed his example. The mosque was therefore called the mosque of the two Qiblas (مسجد القبلتين) (See Sura li 186 145)

The origin of the Azan was as follows. Umar relates that after the flight to Madina the Muslims used to assemble to prayer without anyone to call them. When they consulted together about the way of calling the believers to prayer some proposed the use of an instrument like the Christians others said No let us take horns like the Jews but Umar said 'Would it not be better to let a man call to prayer whereupon Muhammad ordered Bilal to call to prayer

¹ Muhammad said that God had originally appointed Friday as the solemn day of worship both for the Jews and the Christians but that they

had acted contrary to God's command the Jews by choosing Saturday and the Christians Sunday and that it was reserved to the Muslim to keep it as the appointed festival day (Ghazālī: 112)

Every other prayer service may be held by the Muslim alone in his house or any place he may be at the time but Friday noon prayer must necessarily be performed by him in common with the other believers and in a special place of worship whatever that may be mosque prayer place or chapel

The conditions (شروط) of Friday prayer are the following six

(1) It may not be performed in the open air or in tents or outside the town (المصر) but inside the town or village in a mosque or a decent prayer house

(2) The Sultan or his locum tenens must be present The Imam is considered to be the lawful representative of the Sultan

(3) In order to be valid it must be performed at noon (الظهر)

(4) The Khatib (خطيب preacher) must deliver a sermon (الخطبة) at the Friday service this sermon consists of two distinct parts so it is also called خطبتين or the two sermons Between the two parts of the sermon he sits down for a short time of rest The first part is called الخطبة الأولى the sermon of admonition consisting of the praise of God invocation of blessings on Muhammad and his family and companions and admonitions and exhortations to the congregation The second part is called خطبة النعت the sermon of the mention of God's glorious attributes. (For specimens of such Khutbas see Faith of Islam p 268 269)

The Khutba is said in the following manner the Khatib after the four Sunna rak'as have been performed seats himself on the pulpit while the Mu'azzin recites the Azan after which he stands up on the second step and delivers the Khutba leaning while so doing on a wooden staff or sword After he has delivered the first part he descends from the pulpit and sitting on the floor of the mosque offers up a silent prayer he then again ascends the pulpit as before and delivers the second part The Khutba being ended the Khatib descends from the pulpit and the obligatory prayer of two rak'as begins

(5) In order that Friday service may be held in a mosque it is necessary that a congregation (الجماعة) of at least three Muslims besides the Imam should be present according to the Hanafi rite The Shafi'i School requires the presence of at least forty male worshippers besides the Imam

Every Muslim must have full liberty (الإنعقاد) to enter the mosque and join in the service

The Muslim while on a journey especially when he is in haste is excused from performing the full prayer service. He says the *صلاة السافر* and need say only two rakas instead of four at the noon afternoon and night prayers (صَلَّى الْعَرَصَ الرَّبَاعِي رَكْعَتَيْنِ) nor is it required that he should recite a portion of the Qur'an after the Fātiha. He is also excused from attending the public prayer on Friday and the prayers at the great festivals. He need not fast. When performing the Wudū instead of washing his feet he is allowed only to wet the stockings and shoes¹

If any of these conditions be wanting the Friday prayer service cannot be held. Ibn Abidin mentions the following conditions - *إمامة مصر - صحة - حرة - ذكورة - بلوغ - عقل - وجود بصر - عدله على المسمى - عدم حس وجوب ومطر شديد* (1 596 600)

Ghazālī (1 113 116) devotes a long chapter to observations on the due preparation for the Friday service and the behaviour during the same. Another chapter is devoted to the subject of the best way of spending Friday (Ghazālī 1 116 117). In another chapter (1 118 120) he treats of a number of general questions connected with prayer such as killing a scorpion louse or a flea yawning during prayer praying with shoes on spitting and so on.

¹ A Muslim is considered a traveller enjoying the above mentioned mitigations from the time he leaves his home to undertake a journey of at least three days. Should he however on arriving at the village or town propose to himself to stay a fortnight or more he ceases to be a traveller and becomes a resident (*مقيم*). If he stays at a village or town without intending to take up his abode there he may put off his departure from day to day and thus enjoy the privileges of a traveller for years (Ibn Abidin 1 576 588). On these mitigations Muhammad used to say

They are a gift of God accept them. He forbade the traveller to perform more than two rakas instead of four. Some persons once said to Umar: We find the prayer of fear and the prayer of residence (*صلاة الخوف وصلاة الحضر*) written in the Qur'an but not the prayer of the traveller to which Umar replied: O my cousin God sent to us Muhammad when we did not know anything of religion we do what we saw him do. (Kashf 1 197 202)

There are two great feasts of Islām and the prayer connected with them is called the prayer of the two feasts¹ (صلاة العیدین)

The feast of breaking the fast of Ramadān is called the عيد رمضān and also عيد الفطر, which is kept immediately on the conclusion of the thirty days fast of Ramadān that is on the first day of the month of Shawwāl. It is also called the minor festival (العید الصغیر) or the feast of almsgiving (عيد الصدقة)

The feast of the sacrifices, عيد الأضحي (from أضحي an animal offered as sacrifice) is also called the great feast (العید الکبیر) which is celebrated on the 10th of the month of Zūl Hijja (ذو الحجة) seventy days after the former (Sūra xxii 28 33)

The prayer Tarawih² (صلاة التراويح prayer of pauses) is so called because he who performs it rests awhile after each tarwihā prayer, which consists of four rak'as and

¹ The prayer of the two feasts is a special prayer service to be held on the first day of each of these feasts. The conditions are the same as for the public Friday prayer with the exception that the Khutba follows instead of preceding it. It is a prayer of two rak'as. The time at which this service is to be held is from the time when the sun after rising has apparently reached the height of a lance above the horizon to the time when noon prayer is to begin. When this time is passed it is not lawful to hold it and it must be deferred to the next day if for some reason or other it should again be omitted it cannot be held on the third day nor can it be replaced by a redeeming prayer. (For further details see Ghazālī: 125)

² ترویحه pl تراویح a rest pause. Whether it is to be performed in private or in public with the congregation, is a controverted question. During the five pauses the worshipper may resting on his knees recite the tasbīh or takhīl or verses from the Qur'ān or supererogatory prayers or sit still in deep devotion. The pause should be as long as it would require

because worshippers used to rest after each two pairs of salutations. It is a prayer service of twenty rak'as. Every Muslim must in imitation of the Prophet perform it at night after the five obligatory prayers during the thirty days of the fast of Ramadan.

The Prayer of Fear (صلاة الجوف) is said in imitation of the Prophet during the time of war when there is imminent danger from the approach of an enemy. The Imam under such circumstances divides the army into two bodies one of which is placed in a position towards the enemy so as to observe and keep him in check with the other he recites if they are on the march one rak'a if stationary in a place two rak'as. This division will then march towards the enemy and the first division will recite as many rak'as as may be required to complete the prayer. The Salam is said by the Imam alone.¹

to say four rak'as. It is meritorious during these prayers and the nights of Ramadan to repeat the whole of the Qur'an (Ibn Abidin: 519 523 Kashf: 166 Ghazali: 125). As regards the importance of private prayer Muhammad is reported to have said. A prayer in this my mosque (Madina) is worth more than a hundred thousand prayers in other mosques and a prayer in the Holy Mosque (مسجد الحرام at Mecca) is worth more than a thousand prayers in my mosque of greater worth than all these is the prayer of two rak'as a man performs in the corner of his room of which nobody knows anything but God Almighty. This prayer is not obligatory. The Shi'ahs do not observe these prayers (Faith of Islam 272). Muhammad used to make it a private prayer of twenty rak'as and the witr after every four rak'as he used to rest awhile (ترويح) after this he stood up and performed the regular obligatory prayer.

¹ The first division will not recite the Fatiha and the verses of the Qur'an usually required but the second division will supply the omission. If the enemy are so near that the cavalry dare not dismount then each man will pray a rak'a for himself and make the bowing and prostration by means of signs. Should the danger be very imminent this prayer may be altogether dispensed with so also in case of other imminent dangers such as, the being attacked by a lion or a large serpent etc etc. This prayer rests on the command of the Qur'an (Sura v 102 103 Ibn Abidin: 624 626 Kashf: 219 221 Dictionary of Islam 561)

The Prayer at the time of an eclipse of the sun or an eclipse of the moon is also called صلاة الكسوف the prayer of the two eclipses. This is a prayer said by the congregation and performed in the mosque, headed by the Imám. It consists of two rak'as and the reading of long portions of the Qur'án such as the Sura of the cow the Family of 'Imrân or some other appropriate portion.¹

When there is a scarcity of water from want of rain the prayer in time of drought (صلاة الاستسقاء) is used. It is a time when rivers become dry and wells and springs do not yield sufficient water for men animals and fields. It is desirable that the Imám should order the people to fast to give alms for three days and to repent of their sins. Supplications (دُعَاء) and confession of sins and prayer for pardon are to be offered to God by each private individual. It requires neither congregation in the mosque nor sermon though both are allowed.² (Ibn Abidin : 622 624 Ghazálí : 126 or 189 Kashf : 233 236)

¹ The Azan and Ikáma are omitted and there is no Khutba. According to the Shafi'ite rite there are to be two Khutbas. The bowings and prostrations and reading of the Qur'án are to be lengthened so that the service does not cease till the sun has fully regained its light. If there is no Imám united prayer cannot take place and each Muslim performs the prayer separately. Women also perform their prayer each separately. The prayer during an eclipse of the moon is not necessarily a service of the congregation but is recited by every Muslim privately at home or wherever he may be at the time it may however be made a prayer of the congregation. This prayer may also be performed at any time of great calamities violent storm, inundations earthquakes etc etc (Ghazálí 126 Kashf 232 Faith of Islám 272)

² For three consecutive days the Imám goes out with the people rich and poor, high and low on foot in a procession to some public place all being dressed in old well-worn or patched clothes with their heads bent to the earth and showing in every possible way their sorrow repentance and humiliation. Arrived at the place of prayer the Imám stands up his

Within the Ka ba any kind of prayer prescribed, re deeming supererogatory, single or in a body may be offered without regard to position, place or time. It is even allowed to turn one's back to the Imam. It is called the (الصلاة في الكعبة) ¹

The Prayers used for a burial service are called the صلاة الجنازة. When a person is about to die the attendants place him on his back or on his right side with his face and feet towards the Qibla unless circumstances prevent it. He is then made to repeat the words of the confession of faith. His last words ought to be There is no God but God! ²

face turned towards the Qibla and lifting up his hand offers up supplications, the people sitting with their faces also turned towards the Qibla confirming those petitions by saying O God grant us a bountiful refreshing rain. While thus imploring divine help the Imam turns his coat inside out or upside down in sign of their anxiety to see a change of weather.

Care must be taken that no non-Muslims join in this procession and supplication. They may however go out by themselves and offer up their supplications and prayers. Whether God answers the supplications of unbelievers is a controverted question some learned men denying others affirming it.

¹ Turning one's face towards the Imam is not allowed as this might be misunderstood as if the prayers were addressed to him. In support of this the example of Muhammad is cited who on the day of the conquest of Mecca performed a prayer in the midst of the Ka ba at a non-canonical hour (Ibn Abidin: 6.3 674).

² On this occasion it is desirable to read the Sura Yâ Sîn and the Sura of Thunder. After death has taken place some say the corpse is to be addressed thus O N N remember what was thy condition in this world and say I am pleased to accept God as my Lord and Islam as my religion and Muhammad as my prophet. The jaws are then tied up the eyes closed with a prayer for his acceptance with God the members stretched and a sword or piece of iron placed on the belly to prevent its becoming swollen. It is then laid on a bed or plank which has been perfumed all round an odd number of times and washed, whether it be the corpse of a man a woman or a child. It is stripped naked except the part between the navel and the knees and the Wudu is performed with

special care. If the dead person was *junnub* a woman in her courses or in childbirth the washing is done with a decoction of aromatic plant and then rubbed with camphor. The corpse is carefully dried and the head and beard are covered with aromatic substances whereupon it is wrapped up and tied in a shroud of white cloth called the *kafan* (الكفن). The *kafan* of a man consists of three pieces: the shirt (مئزر) the *izar* (إزار) a piece of cloth reaching from the neck to the knees or ankle joint and the sheet (لثام) covering the whole body. The *kafan* of a woman consists of five parts: the chemise (درع) the *khirkh* (حربة) a small piece of cloth to cover the bosom the *khinnal* (خمار) a piece of cloth to cover the head the *izar* and the sheet to cover the whole body.

After the corpse has thus been duly washed wrapped up and placed on the bier (الجارية) the prayer for the dead is recited. These operations and the attendance at the funeral is a duty called *فرض كفاية* or a duty which is not obligatory on every individual of the Muslim community if only a few fulfil it it is sufficient but if none fulfil it the whole community are guilty of sin. The burial service takes place in some open space near the dwelling of the deceased person or near the grave-yard.

The following is the order of the service. Some one present calls out: Here begin the prayers for the dead. Those present arrange themselves in three five or seven rows opposite the corpse with their faces towards the *Qibla*. The *Imám* stands in front of the ranks near the chest (صدر) of the corpse this being the seat of faith if the *Sultán* be present he is the person to lead in prayers otherwise his representative the *Qádi* *Imám* or nearest relative of the dead person (الولي). The whole company having assumed the *Qíam* recite the *nyza*. I purpose to perform prayers to God for this dead person consisting of four *takbirs*. Then placing the hands to the lobes of the ear they say the first *takbír*. God is great then folding the hands the right over the left below the navel they recite the Praise.

Then comes the petition (الدعاء) O God have mercy on Muhammad and his descendants as thou didst bestow mercy and peace and blessings on Abraham and his descendants—Thou art praised. Then follow the third *takbír* after which the following petition (دعاء) is recited O God forgive our living and our dead those of us who are present and those who are absent (اللهم اغفر لحينا وميتنا وعاقدنا وغائبنا ومعبرنا وكبيرنا وذكربنا وإبنانا - اللهم من احببنا منا فاحبه على الاسلام ومن نوبقنا منا مسوقة على الامنان)

The صلاة المَعْدُور - صلاة المريض is the Prayer of the Sick. A man who is sick and cannot stand erect or bow down without injuring himself is allowed to recite his prayers in any posture that is convenient for him. He is to face the Qibla or at all events to have his feet towards the same. Instead of observing the various postures if he is not able to do so it suffices for him to make a sign with his head (إيماء). It is desirable, that on his recovery he should make up the neglected prayers by so many redeeming prayers should his illness however last longer than a day and a night, he is not obliged to perform these redeeming prayers (For more details see Kashf i 197)

The Redeeming Prayer is called قضاء الفوائت. When the Muslim has for some weighty reason been hindered

Then follows the fourth takbîr and the Salâm right and left. The burial service being now over the people seat themselves on the ground and raise their hands in silent prayer in behalf of the deceased soul after which the chief mourner gives permission to the people to retire saying There is permission to depart this is the إذن العام or general permission. The corpse is then placed in its grave (القبر) head and feet towards Mecca those who place it saying We commit thee to the earth in the name of God and in the religion of the Prophet. Those who have stayed behind them recite the Fātiha in the name of the deceased and again when they have proceeded about forty paces from the grave they recite another Fātiha for at this juncture it is said the two Angels Munkar and Nakir examine the deceased as to his faith (Faith of Islâm 204 276)

Muhammad said Hasten to bury the dead for it is not becoming that the corpse (جثة) of a Muslim be long kept in the midst of his family and also Any Muslim to whom four individuals (Muslims) bear good testimony God will make him enter Paradise (Kashf i 242 243)

He who dies in the early morning ought not to rest at midday anywhere but in his grave. Muhammad at first prohibited visiting the tombs but later on he first allowed it to men and then to women also

in performing one or more of the obligatory prayers it is his duty to perform what he has omitted at the earliest opportunity before he performs the next obligatory prayer.

The Prostration of forgetfulness سجدة التوبة - سجود التوبة consists of two prostrations which the Muslim is bound to perform at the conclusion of the prayer after the first salutation (which is towards the right) in order to make amends for any mistakes committed in prayer from forgetfulness or inattention such as praying one rak'a instead of two bowing twice instead of once. This prostration is obligatory only when more than one mistake has been made in one and the same prayer. If the Imam commits such mistakes the whole congregation which has joined him in prayer should make such amends together with him. (Kashf : 179 180)

(1) The Salutation of the mosque is called Tahyyahu l Musjid (تحيّة المسجد). Muhammad said Give the mosques their due. On being asked what that was he replied "When you enter a mosque pray two rak'as (according to another tradition) make two prostrations before you sit down. (Kashf : 171 172)

(2) The Prayer after the Wudu is called الصلوة بعد الطهارة. Muhammad recommended his followers to say a prayer if it be but of two rak'as after every Wudu. (Kashf : 172)

(3) The Prayer of Need is صلاة الحاجة. Muhammad used to say 'If any of you be in special need of anything whether from God or man let him perform the Wudu carefully then let him say a prayer of two rak'as then praise God invoke a blessing on the Prophet then say There is no God but God the gracious the bountiful I pray for the blessing of thy mercy and pardon forgive all my sins, (Kashf : 172)

(4) The Prayer of Repentance is **صلاة الندوة** Muhammad said If a man have committed a sin let him go and perform the Wudu then let him pray and ask God for pardon verily God will forgive him then recite Sura iii 129 130 then let him say a prayer of two rak as obligatory or optional

(5) The Prayer for an object lost is **صلاة رد الصلّة** When Muslims had lost anything they used to pray two rak as after which they said O God the restorer of lost things the guide of what is gone astray restore to us what we have lost by Thy power and might for it was of Thy bounty and gift

(6) The Prayer for Guidance in making a good choice is **صلاة الاستسجارة** Muhammad used to say If any one desires to undertake a thing let him pray two rak as in addition to the obligatory prayer then let him say the following petition (دعاء) O God I ask Thee to guide me in my choice by Thy omniscience and to assist me with Thy omniscience and I pray Thee to be gracious to me for Thou art mighty and I am helpless Thou art omniscient and I am ignorant Thou knowest hidden things if Thou knowest O God that this thing is for my benefit as regards my religion and my subsistence and my latter end then make straight the way and let it succeed and let it be blessed to me but if Thou knowest that it will be injurious to me as regards my religion and my subsistence and my latter end then remove it from me and give me what is good for me and let me be content with it Then let him mention the object of his choice He also said Let a man thus pray for God's guidance seven times then let him consider what is nearest to his heart (الذي يسئ الى قلبه), this will be best for him

(7) The Prayer of Praise is **مِلَّةُ التَّسْبِيحِ** The Prophet is reported to have exhorted his followers to observe the prayer of praise saying 'whosoever of you is able to do it, let him say it once a day if he cannot, then once a week if he cannot then once a month if he cannot once a month then once a year if he cannot, then once in his life This is a prayer of four rak'as, at each of which is to be said after the reading of the Qur'ân fifteen times Praise be to God and glory be to God there is no God but God

(سُبْحَانَ اللَّهِ وَالْحَمْدُ لِلَّهِ وَلَا إِلَهَ إِلَّا اللَّهُ وَاللهُ أَكْبَرُ) The same is to be repeated ten times at the 'bowing and at rising from it and at each of the two prostrations and during the 'sitting between them and at the tashahhud making altogether seventy five praises for each of the four rak'as

On reading certain verses of the Qur'ân a prostration should be made (عُرَائِمُ السُّجُودِ - سَجْدَةُ التَّلَاوَةِ)

Besides the aforementioned prayers, prostrations and petitions, the Muslim who would reach a high degree of perfection and acceptance with God, is recommended to engage in certain additional devotional exercises called Wird (أُورَادُ plural ورد) reading of a portion of the Qur'ân chiefly in the hours of night²

¹ All says The **عُرَائِمُ السُّجُودِ**, that is the verses of the Qur'ân at which the believer is to prostrate himself are four - **أَمْرًا بِاسْمِ رَبِّكَ - وَالنَّجْمِ - حَمْدُ - السُّجْدَةِ - أَلَمْ يَسْجُدْ** Umar says The Prophet taught me fifteen Sôdas in the Qur'ân (See Faith of Islâm 389)

At the giving of thanks a prostration should be made

When any one brought good news to Muhammad he used to prostrate himself and thank God Abû Bakr did the same (غُرُوسًا شُكْرًا لِلَّهِ)

² Ghazâlî (i 199 et seqq) devotes several chapters to this subject from which it will suffice to give the following abstract 'From many verses of the Qur'ân it appears that the only way of becoming united with

God is constant intercourse with him (دوام ذكر المطروب) This is the object of the devotional services called **أوراد** in which the believer can engage at all times of the day as well as the night. The Wirds to be observed during the day are seven.

1st wird (من طلع الصبح الى طلع الشمس الورد الاول) The Muslim on rising up early mentions the name of God and praises Him and recites certain petitions (ادعية) while dressing he recites the appointed petitions cleans his teeth with the **siwák** performs the **Wudu** then prays two **Sunna rak'a** of dawn. After these **rak'a** he repeats a petition then he goes to the mosque with a collected mind. In a solemn and respectful manner he enters the mosque with the right foot first saying the appointed petitions on entering and on leaving. He enters the first rank of worshippers if there be room and prays the two **rak'a** of dawn if he has not done so already at home then two **rak'a** of Saluting the Mosque (الجمعة), then sits down repeating petitions and praises waiting for the assembling of the congregation. After having performed the obligatory prayer of dawn he remains sitting in the mosque till sunrise meditating and repeating certain petitions and praises a certain number of times (3, 10, 70, 100 times) counting them by the rosary (سجدة) and reciting portions of the **Qur'án**. (For the formulas to be repeated see Ghazálí : 200-203)

2nd Wird Between sunrise and an advanced forenoon hour the worshipper says a prayer of two **rak'a** and when the sun has risen the length of a lance above the horizon (الشمس الاعلى) more **rak'a**. This is the time when the believer may perform good works such as visiting the sick and accompanying funeral processions. When nothing of the kind requires his attention he spends his time in repeating petitions in **zikr** meditation and reading of the **Qur'án**.

3rd Wird Between morning (محو) and the declining (زوال) of the sun the believer after taking care of his worldly affairs, engages in the devotional exercises as before mentioned.

4th Wird Between the time when the sun has become somewhat high (زوال) and the noon prayer four **rak'a** as between the **Azán** and the **Ikám** are said and portions of the **Qur'án** are recited.

5th Wird Between noon and afternoon prayer (العصر), it is laudable to spend the time in the mosque in acts of devotion.

6th Wird This begins at the **Asr**.

7th Wird It begins at the time when the sun is near setting and its light begins to grow pale.

The Wirds of the night are five

There are fifteen special nights in the year which are said to be specially favorable to devotional exercises and which the believer ought therefore scrupulously to observe as special favors and mercies and blessings may be obtained on the same. These are six nights in the month of Ramadân, viz., five in the last part of the month one of which will be the night of the Qadr (ليلة القدر) and the seventeenth of Ramadân on the morning of which the battle of Badr occurred. The other nine most noble nights are the first night of Muharram the night of Ashura (عاشوراء),

First night Wird After sunset when the prayer of sunset has been performed to the time when darkness (عَمَة) has set in the worshipper says two rak'as in which certain portions of the Qur'ân are recited then four long rak'as and as much of the Qur'ân as time allows. This Wird may be performed at home but it is preferable to do so in the mosque (Ghazâlî : 205)

The second night Wird This is from the darkness of the last Isha (العشا الآخرة) to the time when people retire to sleep. This consists of three things (1) the obligatory Isha prayer ten rak'as viz. four before it and six after it (2) performing a prayer of thirteen rak'as the last of which is the Witr prayer. In this about three hundred verses of the Qur'ân are to be recited (3) the Witr prayer before going to sleep unless one is accustomed to rise in the night when it may be performed later on which is more meritorious (Ghazâlî : 205 206)

The third night Wird This consists of sleep and sleep may well be considered a devotional act (عبادة) if enjoyed in the proper way

The fourth night Wird This is from the time when the first half of the night is spent to when only one-sixth of it still remains. At this time the believer ought to rise from sleep and perform the prayer of tahajjud. This prayer is also called the Hujûd (الهيجد sleep) Muhammad mostly made it a prayer of thirteen rak'as

The fifth night Wird This begins with the last sixth of the night called the Sahar (وقت السحر), the early morning before dawn to the appearing of dawn (وإذا طلع الفجر نفث أوراد الليل الفجر). To these devotional exercises it was considered meritorious to add four additional good actions fasting almsgiving visiting the sick, attending funerals,

the famous fast day of the Jews, and for some time of the Muslims also the nights of the first and the middle and the twenty seventh of the month of Rajab the night of the 15th of the month of Shaban the night of 'Arafa (عرفة) and of the two festivals (الأيام العظمى) The days most favorable to prayer are said to be nineteen (الأيام العظيمة) viz the day of Arafa the day of Ashura the twenty seventh day of Rajab on which Gabriel is said to have been sent to Muhammad with the divine mission (بالرسالة) the seventeenth of Ramadan the middle of Shaban Friday the two days of the two great Festivals and the appointed days of the month of Zul Hija (الأيام المأهولة) and the days of Tasbeeq (تسبيح) The most excellent days of the week are said to be Thursday and Monday on which the account of men's actions are taken up and presented to God (Ghazali 1 216 217)

There are special prayers for every day in the week

Sunday (day time) Muhammad said "He who on Sunday says a prayer of four rak'as reciting the Fatiha in each rak'a will find that God records these in His account book as so many good actions (حسنة) as there are Christian males and females in the world

Monday When the day is somewhat advanced towards noon, he who says a prayer of two rak'as and recites in each rak'a the Fatiha and the verse of the throne, two taawwuz, and asks for pardon ten times and prays for blessings on the Prophet ten times, God will forgive him all his sins

Tuesday Ten rak'as at noon and the reading of the Fatiha will gain remission of sins for seventy days

Wednesday Twelve rak'as before noon and Qur'an reading and certain formulas will get remission of all

past sins deliverance from the tribulations of the grave and the reward of a prophet in the future world

Thursday A prayer of two rak'as said between noon and afternoon and the reading of portions of the Qur'an get a reward, such as he who fasts during the months of Rajab Sha'ban and Ramadan and performs the pilgrimage to Mecca obtains

Friday He who, after having carefully made his ablutions says a prayer of two four eight or twelve rak'as will find that God will raise him in Paradise 200 400 800 or 1 200 degrees respectively and wipe out 200 400 800 or 1 200 sins, respectively

Sunday night Twenty rak'as, reciting the Fatiha in each, repeating 'Say God is one (قل هو الله احد) fifty times, and "I ask for pardon (استعز الله حروجل) one hundred times, bring a rich reward

ALMS —The giving of the duly appointed Alms (tithes poor rate taxes, tenth سكاة)¹ is another of the five foundations of Islam, next in importance to prayer. It rests on a distinct command of the Qur'an "Perform the prayer and give the alms Sura II 40 (Suras II 77 104 IV 79, 12 5, 11 VIII 42 78 XXIV 55, LVIII 14 LXXIII 20) and is therefore absolutely obligatory

¹ It is called سكاة , augmentation purification (from سك , to increase augment to be to become pure) because the portion a man gives of his property in alms is considered to purify and sanctify that property and cause it to increase by drawing down a blessing on it. This legal tax is to be paid annually by every Muslim subject towards the support of the poor the carrying on of holy war against infidels, the spread of Islam and the maintenance of Muslim institutions. It is mentioned in eighty two passages of the Qur'an in close connection with prayer. Voluntary alms (صدقة) are also meritorious acts strongly recommended in the Qur'an and the Hadith (Sura II 274 275) but are left to the free choice of every believer. The term سكاة is occasionally also used to designate the obligatory alms

but زكاة is the proper technical term for the latter and is never used to designate voluntary alms giving Muhammad used to say He who pays the Zakát of his property evil will be removed from him Make your wealth sure and heal your sick by giving alms

(حسبوا اموالكم بالزكاة وداووا مرضاكم بالصدقة)

The Zakát is incumbent on every Muslim who is free (حرية) sane (عقل) adult (بلوغ) provided he possesses in full property the amount or value of such estate or effects as is termed in the law the Nisab (نصاب) and that he has been in possession of the same for a full year (حولي) Ibn Abdín il 4 شرط اقتراض الزكاة عقل وبلوغ و اسلام و حرية و ملك حولي The Nisáb is the amount or value of property which is subject to this tax A smaller amount than the fixed Nisáb is not subject to the payment of the tax

The Zakát of various kinds of property is to be paid on the following conditions

(1) Animals ركاء الحيوان of these the Zakát is due on the following five conditions

(a) they must come under the term cattle (نعم) such as camels oxen sheep horses which are not kept as articles of merchandize Mules donkeys etc. are not subject to this tax.

(b) they must be cattle kept out at pasture (سائمة) Animals fattened at home (معلوفة) are not subject to tax

(c) they must have been in the possession of the owner for a whole year (الحول لا زكاة في المال حتى يحول عليه الحول)

(d) they must have been the absolute and full property and under the full control of the owner (كمال الملك والتصرف)

(e) the quantity or number of the property must amount to what is called the nisáb

The Nisáb of camels (الابل) is five that is no Zakát is due on less than five camels, on 5 to 9 camels the tax due is one sheep of the second year or a goat of the third year (جذعة من الابل او شاة من المعز) for 10 to 14 camels the tax is two sheep from 15 to 19 three sheep from 20 to 24 four sheep for any number from 25 to 35 the Zakát due is a yearling female camel (شاة من المعز), from 36 to 45 a two year old female camel (عجالة), from 46 to 60, a three year old female camel (عجالة), from 61 to 75 a four year old female camel (جذعة), from 76 to 90 two two year old female camels (بشاة من المعز), from 91 to 120, two three year old female

(حسان) from 120 to 133 three three year old female camels from 133 camel upwards a three year old male camel (بسالون)

No Zakat is due on oxen cows buffaloes (ركاة البقر) till they reach the number of thirty. From 30 to 40 cattle a one year calf (سبع) is due then up to 40 a two year old female calf (مسند) when the number exceed 40 the Zakat is to be calculated according to the rule.

No Zakat is due on sheep goats (ركاة الغنم) for less than 40 from 40 to 120 a two-year old heep is due from 120 to 200 two goats or sheep above that one for every hundred. Thus the Zakat on sheep and goats is about 1 per cent (Kashfi 205)

(3) Zakat of the fruits of the field is the tenth (ركاة المعربات) of wheat barley (عرب) dates (تمر) raisins (رطب) honey (عسل) the Zakat due is the tenth (العشر) but only when these amount to 800 من (weight of two katal) nothing is due on smaller quantities or on fruit before they are ripe and dry. The delivery takes place when they are quite ripe and dry (بعد الجفاف). Land watered by means of buckets or machinery pays only half of the tenth.

(Kashfi 262) ان كان سقى بفتح او دالة

(3) Money gold and silver (ركاة النقدين) No Zakat is due on silver (فضة) till it amounts to 200 dirhem by the weight of Mecca and of gold till it amounts to 20 Mithqal (مقال) which is the Nisab of silver and gold respectively. On 200 dirhem of silver the Zakat due is five dirhems or about the fourth of the tenth of the value. Of gold the Nisab is 20 Mithqals when it has reached this amount half a Mithqal is due and for every additional four Mithqals the tax due is two Dirá (قيراط). On objects made of silver or gold such as cups rings bracelets necklaces etc. the same taxes are due but only if they have been in the full possession of the owner for a whole year.

(4) Merchandize (ركاة التجارة) Articles of merchandize should be appraised they are subject to the same tax as gold and silver ($2\frac{1}{2}$ per cent) if they exceed 200 dirhems in value. The year (حزب) commences with the possession of the capital with which the merchandize has been purchased if the capital did not amount to the taxable sum then the tax is to be paid from the time when the merchandize has been bought.

(5) Minerals and buried treasures (ركاة الزكاز والمعادن) If a person find a deposit of buried treasure one fifth is due upon what consists of gold and silver nothing is due on precious stones. There are differences on the subject between the Imáms of the various Schools, but they are of little importance.

(6) Alms of the feast of Fitr (زكاة الفطر - صدقة الفطر) The distributing of alms at the feast of Fitr (and of the fast of Ramadán) on the first day of Shawwál (هوال) is obligatory on every Muslim. These alms consist of 1 measure or half a measure of wheat or barley (صاع) or raisins or dates taken from the best of what is used for food. The head of the family is bound to give these alms not only for his own person but also for his wife his children his Muslim slaves or any other person dependent on him for their support. Muhammad commanded his people to distribute these alms to the poor early on the day of the feast before going to assemble for prayer saying "Relieve the poor from going about (begging) on this day." Ibn Abbás says "God commanded the giving of these alms as a purification of the person who has fasted from any forbidden act he may have committed or any evil words he may have used. If he distributes them before the prayer of the feast they are accepted as Zakát; if he does so after the prayer service whatever he gives is only common alms (صدقة) not Zakát (Kashf: 264 265). As to the manner of giving the Zakát (زكاة الفطر) five points are to be considered

(1) The intention the giver must intend the payment of the obligatory Zakát

(2) The speedy delivery of the Zakát when due that is after the year (الدار بعد الحول)

(3) One kind must not be changed for another

(لا يخرج بدلًا بل يخرج الموصوف عليه)

(4) The Zakát of one place must not be delivered in another place (لا يجعل الصدقة إلى بلد آخر)

(5) Zakát is to be distributed among the various classes of people who are entitled to the same namely the following eight classes (Sura ix 60)

(1) the poor (الفقر) who possesses nothing and are unable to acquire anything (2) the needy (المسكين) whose income does not cover their expenses (3) the collector of the Zakát (العاملون) including messengers scribes (4) chiefs and influential men who have embraced Islám to whom gifts (subsidies) are given in order to keep them steadfast and encourage others to embrace Islám (المولاه قلوبهم على الاسلام) (5) the slave who works to buy his liberty (المكاسب) (6) those who have got into debt without being guilty of fraud (7) those who fight for Islám (الغزاة) (8) the wayfarer according to his want. The giver of the alms has to ascertain how many of these classes there exist in his place and to distribute them among the same (Ghazali: 192 and 198 199)

The qualifications for the recipients of the alms are (1) that they understand that the support they receive is to make their minds free from

FASTING—The third foundation of Islām is Fasting (صوم - صيام) which consists of total abstinence from food drink and cohabitation from sunrise to sunset (هو امسالك عن المعطرات حقيقة او حكماً)

Bathing, smoking, taking snuff, smelling a flower are equally forbidden during fast time

Muhammad used to say "By God the odour of the mouth of him who fasts is more acceptable to God than the odour of musk

With regard to the degree of obligation, a fast may be divided into (1) obligatory Ramadān (2) meritorious but not in the same degree (3) supererogatory, such as fasting certain days in the month

There are various kinds of fasts

(1) Obligatory, Ramadān fast (صوم رمضāن - صوم العرس)

(2) Atoning redeeming fast (صوم العشاء), a fast observed at another time instead of one which has been omitted

(3) Expiatory fast (صوم الكفارة) by way of expiation for some sin committed

worldly cares and enable them wholly to give themselves to the worship of God (2) that they thank the giver and invoke blessings upon him (3) that they only accept such gifts as they know are lawfully acquired (حلال) (4) that they take no more than they are lawfully entitled to the debtor what suffices to pay his debt the poor and needy ought not to ask for more than the support of one year (5) that they ascertain from the giver of the Zakāt the amount he has to dispose of in order not to ask for an undue proportion

Muhammad allowed rich people to pay their Zakāt for two years in advance if they liked to do so At first he ordered his people to give alms only to Muslims, but later on he allowed them to give to people of all religions. Muhammad used to give presents to those whose hearts he saw favourably inclined to Islām

(4) Vowed fast (صوم النذر), a fast vowed to be observed under certain circumstances

(5) Supererogatory fast (صوم النفل) including all kinds of voluntary fasts

The Fast of Ramadán is absolutely obligatory on every individual Muslim. It rests on a direct command of the Qur'an 'O believers! A fast is prescribed to you as it was prescribed to those before you that ye may fear God for certain days (Sura II 179 184)'¹

¹ Ramadán is the ninth month of the Muslim year. In the month of Ramadán the Qur'an is believed to have been sent down by God wherefore it is held to be sacred. This fast of thirty days (not the nights) is obligatory on every Muslim male and female who has reached the age of puberty. Very young children, idiots, the sick and infirm and aged pregnant women or women who are nursing their children are exempted from observing this fast.

The fast of Ramadán begins as soon as the appearance of the new moon of the month of Ramadán has been seen by two trustworthy witnesses. When the weather is overclouded and prevents the new moon of Ramadán from being distinctly seen the testimony of one witness is sufficient but when the beginning of the fast rests on the testimony of one witness only the fast must be continued and cannot be broken till the appearance of the new moon of the following month (Shawwal) is affirmed by two trustworthy witnesses. One is not sufficient in this case.

Things to be observed with regard to the fast of Ramadán are

(1) Watching for the beginning of Ramadán (مراقبة أول شهر رمضان)

(2) The proposal. The believer must propose to himself to observe the fast and must reiterate this proposal every night for the fast of the next day.

(3) Total abstinence from food and drink (الامساك عن إيصال شيء إلى الجوف). Bleeding, cupping does not invalidate the fast nor what enters the mouth involuntarily or out of forgetfulness (ناساً).

(4) Abstinence from sexual intercourse during the day time (الامساك عن الجماع) except it be out of forgetfulness. At night cohabitation is permitted, and the fast is not thereby broken.

(5) Abstinence from pollution (الامساك عن الاستسقاء بالكف).

(6) Abstinence from vomiting (الامساك عن إخراج القيء), unless it is involuntarily. Spittle may be swallowed.

The Sunna (السنة) to be observed during the fast of Ramadan in imitation of the Prophet are the following (1) delaying as long as possible the Suhur (ناحر السحور) The Suhur is the meal taken at the time of the Sahar (سحر), that is a little before day break (2) taking a date or drinking a little water before prayer (3) giving up the use of the siwak from noon to sunset (4) giving alms, (5) reading the Qur'an

Voluntary fast (صوم التطوع) Besides the thirty days fast of Ramadan, there are certain days of the month and the week which it is considered most praiseworthy and meritorious to observe as days of voluntary fasting¹

If the fast is omitted or broken it must be made good by one of the four following acts (تؤامم الأخطاء غارعة) Ghazali n. 145 146) —

(1) a redeeming fast (صوم القضاء) from فلى to perform to redeem to make reparation for) A Muslim who has not observed the fast for some valid reason or otherwise (بعدد أو بغير عذر) is bound to make up for it by observing the fast omitted at some other time. He may do so either on consecutive or on separate days most convenient to him. A woman who omits her fast on account of physical occasion has to make good the omission some other time. The Companions if on a journey they did not fast were not required to make this redeeming fast.

(2) Expiatory fast (صوم الكفارة) is incumbent on him who has transgressed the command of abstinence from sexual intercourse. It consists in setting free a slave or if he be not able to do that in fasting two consecutive months or feeding sixty poor persons.

(3) Fasting the remainder of the day (امساك بقية النهار) is incumbent on him who has committed the sin of eating or drinking on a fast day.

(4) Ransom (فدية) A woman with child mothers giving suck who do not observe the fast on account of their being afraid to do harm to their children are to give a ransom of a measure of wheat to a poor person for every neglected fast day besides observing the redeeming fast.

¹ (1) Annual the fast of Arafah the fast of Ashura on the 10th of Muharram and the first ten days of the month of Zil Hijja and Muharram and all the holy months

The *vow of abstention* (صوم) When the believer has vowed to fast to God he must strictly observe it. The neglect of it requires a redeeming fast and if it was vowed with a oath the neglect requires an expiatory fast of three days.

Fasts may not be observed on the so called forbidden days, i.e. the first day of the festival of Fitr and the four days of the festival of Adha.

Muhammad used to say "Fasting is one half of patience and patience is one half of faith." Muhammad used to fast two days in the month and he commanded his people to do so also until the fast of Ramadan was revealed. Most of them disliked it and considered it a burden. Everyone who disliked fasting used to feed sixty poor people but when the verse "Whosoever is present in the month of Ramadan let him fast" was revealed the Prophet commanded all who were able to keep it. He said "God has said 'Fasting belongs to me, and I will reward it'."

At first sexual intercourse was prohibited also at night, but when Muhammad found that people transgressed the command he allowed it and the verse "It is allowed to you to go into your wives" was revealed. Muhammad recommended his people to eat immediately after sunset, before performing their prayers. He also advised them to eat the meal called Suhur a little before day break, as it would strengthen them for the fast of the day and afterwards to say the morning prayer. He used to say,

(2) In the fasts the privileged days for fasting are the first day and the middle days i.e. 13th 14th 15th which are called the white high days (الأيام البيض) and the last days of a month.

(3) Weekly fasts the best days of the week for fasting are Monday Thursday and Friday.

The handles of Islam and the pillars on which it is built up are these—Confession that there is no God but God the appointed prayer and the fast of Ramadan—he who forsakes one of them becomes an infidel whom to deprive of his wealth and his life is lawful

It is the duty of devout Muslims to seclude themselves in the mosque during the month of Ramadan and abstain from all worldly business devoting this time to reading and meditating on the Qur'an the Hadith and other religious literature. Muhammad used this to spend the last ten days of Ramadan and to exhort his people to follow his example. This seclusion is called I'tikaf (إتكاف). Women also may spend I'tikaf not however in a mosque but in a room in their houses (إتكاف في مسجد الله).

THE HAJJ The pilgrimage (الحج) to the Ka'ba the holy house at Mecca (البيت الحرام) is the fifth foundation on which Islam is built up.¹ The performance of this

¹ There are three kinds of I'tikaf (1) the I'tikaf of Ramadan which is a Sunna duty (2) the I'tikaf a believer vows to observe at a certain time which is Wājib (3) the I'tikaf observed at any other time which is considered mustahabb

The seclusion a man vows may be consecutive and is preferable in Ramadan or it may be separate. If he has vowed a consecutive I'tikaf he must not leave the mosque during the days of the same except for the most necessary natural wants or for performing his ablutions. He eat and sleeps in the mosque

كانوا يحرّجون ويقضون حاجتهم في الجامع ثم يغسلون و يرجعون الى
مسكنهم منزل مولاهم تعالى ولا يهاجروا من واسم عاكفون في المساجد
(Sura ii 188 Ghazali: 146)

The great fast day of Ashūra عاشورا observed by Muhammad and many of his followers is no doubt borrowed from the Jews who kept a fast on the 10th of the month of Tisri (Leviticus xii 29). See Sale on the subject also Dictionary of Islam 584

² The object of this pilgrimage is the Ka'ba a square primitive stone building at Mecca which Muslims believe to have been built by Abraham

pilgrimage once at least in his life is incumbent on every Muslim, male and female who is possibly able to do it (مَنْ اسْتَطَاعَ إِلَهُ سَبِيلَهُ) This duty rests on a special command of the Qur'an Suras \nu 28 11 153 192 111 90 v 2

and to which the pagan Arabs had from ancient times performed pilgrimages as to their national sanctuary or which occasion they performed the very same rites and ceremonies now observed by the Muslim pilgrims. The so called black stone (حَجَرُ الْاَسْوَدِ) built up in one of the corners of this temple forms an object of special veneration to the pilgrim. The Ka'ba has been adopted as the central sanctuary of the whole Muslim world.

The conditions (أَهْرَاطُ لُرُومِ الْحَجِّ) under which a Muslim is bound to perform the pilgrimage are these (1) full age (2) Islām (3) sound reason (4) freedom a slave is not to perform it (5) ability that is he must be in good health and possess the means to defray his expense and at the same time to provide for the family he leaves behind the roads must be safe. A woman must be accompanied by her husband or some near relation.

The time during which the pilgrimage may be undertaken are the months of Shawwāl /ul Qa'da and the first nine days of Zul Hijja for a pilgrim who undertakes it at any other time is not the Hajj (the great pilgrimage) but a so called Umra (عُمْرَة) or minor pilgrimage or visitation in which all the rites and ceremonies of the Hajj except the offering of the sacrifices are observed.

The Muslim before setting out on his pilgrimage must (1) repent of his sins restore what he has unjustly taken (رَدُّ الْبَاطِلِ) pay his debts pay the allowances up to his return (مَاعِيَتُ) return pledges (وَدَائِعُ) provide the means for his journey, give alms to the poor sick etc (2) choose a suitable companion a pious and charitable man (3) before starting say a prayer of two rak'as and read suitable verses of the Qur'an (4) on arrival at the door of his house say 'In the name of God in Him I trust' (5) on mounting the animal say 'In the name of God etc' (6) perform the greater part of the journey at night and not to dismount till the day has become hot (7) not linger behind the caravan at night one pilgrim watches while the other sleeps (8) on ascending to say 'God is great' on descending 'Praise be to God'. For a detailed account see Ghazālī 1 153-154 who treats of these subjects under the heads

مى الحادى - مى ال - ل - مى اسكوب - اد حبل على باب الدار - مى
الروح من الدار - فى الدنى - فى المال - مهيما

The Miqat (مقات) are the starting places. On each of the four roads leading to Mecca there are at the distance of about four or six miles from the city stages called Miqat or starting place where the pilgrims collect and from whence they start in a body on their final journey to Mecca after having assumed the Ihram (احرام) the pilgrims of the Hajj Muhammad appointed five such places of meeting.

(1) For pilgrims coming from Madinah a place called al-Jahil (الجاهل), about six miles from Mecca (2) for those coming from Syria and Juha (جوه) (3) for those from Iraq and Irak (دابة عراق) (4) for those coming from Yemen and al-Hamla (الهملا) (5) for those from the north called Qarn al-Manazil (قارن المنازل) (Ibn Abidin ii 164)

When the pilgrim has reached his respective Miqat he has to observe the following five customs (اداب) (1) he bathes and cleans his whole body proposing to himself to do it for the sake of the pilgrimage he parts his nails combs his beard and (2) he divests himself of his clothes and assumes the pilgrim's sacred robe consisting of two seamless wrappers one being wrapped round the waist and the other thrown loosely over the shoulder the head being uncovered. Sandals may be worn but not shoes or boots. After he has assumed the pilgrim's garb he must not shave any part of his body nor pare his nails nor wear any other garment than the Ihram. He now enters upon a state or time in which what before was allowable or lawful to him is forbidden.

The pilgrim having now entered upon the Hajj faces Mecca and makes the Niyya that is he proposes to himself to perform the pilgrimage either Hajj or Umra as the case may be. It is laudable if he recites the talbia (تلبية) (from لبي to declare one's readiness). Here I am for Thy service O God I am ready (لبيك اللهم نساك)

It is laudable now to say the petition O God I purpose to perform the Hajj make it easy to me O God I offer to Thee my flesh and my hair and my blood I have vowed to abstain from women and perfume and clothes out of desire to please Thee!

Then he repeats the talbia every time he ascends a hill or descends into a valley.

Things prohibited to the Muslim (مسلم) as long as he wears the pilgrim's garb are (1) wearing a shirt drawers shoes turban (عمامة) (2) perfume (طيب), the atonement for having used perfume is a sheep (الذبيحة دم هاء) (3) shaving paring nails the atonement for transgression is a sheep (4) sexual intercourse the atonement for transgression is a cow or seven sheep (5) things leading

to analist r i e i h a k i a i d i f p o l u t i o n t h e e x p i a t i o n a
h e a p (اكليل من الغنم) The expiation for trespassing is cattle of the
the f t e i a n a l k h e d (غنم : 1)

T a i t i i e l e r v d f r i d i e n t r a n c e n t o M e a t o t h T a w a f
t u i e r d n l a b a (ادب دخول مكة الى اصفاء) a n c a s
f l w

(1) A a p l a i i T a w a f (در عون) t h i g u n w a h e s (b a t h e s)
m o d B t u n n e n i n t u l t h e p l a n n a s t o b a h e n i n c
t i

(2) O r a p p a L u M e c i (ارن الحرم وهو سرج مكة) h e a y s O
C d h s T h e n a t u r a l l t n p i o f e c u r i t y p r e e v e r y f l e s h
a d l i c e f r a n h l l r e

(3) I t s a r i t t h a t h e s h o u l d m i n e t h e l i e p h e l y e n t r i n g
M e c i f u i d e f A t a l (ص 1) a n d l e a v i n g i t b y A l K u d a
(الصن)

(4) W h e h e r e M e c i a n d o b t a i n s s i h o f a e K o a h e s a y s
T h e r e n e c o d h u G a i o d i s g i t

(5) O e n t r i n g t h e h o l y m o s q (المسجد الحرام) n d o e s s o b y t h e
g a t e o f t h e P e n t S h e r b a (باب منى عسدة) s a y i n g I n t h e n a m e o f G o d
b y (o d n u n) (o d o n i n p r o a h u n g t h K a b a n e a y s P r a i s e b e t o G o d
p e r o n h i s c r i a n t

(6) A f t e r t h h e a p p r o a c h e s t h b l a c k S t o n e a n d t o u c h e s i t w i t h h i
r i g h t a n d u n d k e s a f a n g V y p l e m I h a v e d e l i v e r e d m y v o w I
h a v e f u l f i l l e d t h e r w i t n e s s I h a v e d o n e i t

(اللهم امانى ادبها ومسامي) W h e n i t n o t
p a s s e s a r h a n i a n o u n t o f t h e t h r o n g t o t o u c h t h b l a c k s t o n e
w i t h a h a n d i t s u f f i c e t o t o u c h t w i t h a t i c k a n d t o k i s s t h e c i d
w h i c h h a c a m e r c o r t i e w i t h t h e t o n e (G h a z a l i : 15) A f t e r t h i s h e
p e r f o r m s t h e c i r c u m a m b u l a t i o n d u r i n g w h i c h t h e f o l l o w i n g i s t o b e o b
s e r v e d H e m u l e c a r e f u l t o b e n a s a t e o f o u t w a r d a n d l o g a l p u r i t y
H e t h e n t a k e s u p p a t o f t h e I n x a m u n d e r h i s r i g h t a r m a n d t h r o w s
i t o v e r h i l f s h o u l d e r (يصبغ قبل الطواف) m a k i n g o n e a n d h a n g
d o w n o n h i s n a c i a n d t h e o t h e r o n t h e c h e s t t h u s h e r e p e a t s t h e t a l b i a a n d
a p p o s i t e p e t i t i o n s T h i s i s c a l l e d t h T a w a f o f t h e a r r i v a l W h e n h e
h a s t h i s a r r a n g e h a s p i g m u r s g a r b (اذا فرغ من الاطماع) h e s t a n d s s o
a s t o h a v e t h e K a b a o n h i s l e f t a a d i s t a n c e o f a b o u t t h r e e s t e p s a n d t h e
b l a c k s t o n e i n f r o n t a n d t h e n p a s s e s b e f o r e i t w i t h h i s w h o l e b o d y
(يمر بجميع الحج بجميع بدنه)

B e f o r e t h e b l a c k t o n e h e s a y s I n t h e n a m e o f G o d G o d : g r e a t
a n d t h e n g o e s r o u n d t h e s a n t u a y b e g i n n i n g o n t h e r i g h t a n d

leaving it on the left after this he reaches the door of the sanctuary when he says certain petitions and praises God till he reaches the Ruknu l Aráqí (الركن العراقي) and after it the Mizáb (مزاب), then the Ruknu l Shámi (الركن السامي) then the Ruknu l Yamáni (الركن اليمني) reciting at each of these places the appointed ejaculations and petitions. He has now performed one turn or procession (محوط) round the Ka ba. In the same manner and repeating the same petitions etc he encompasses the Ka ba seven times (سبعة أشواط).

The first three processions he performs at a quick step the last four times at the usual walking pace. It is desirable that every time he passes before the black stone he should touch it either with his hand or with a stick and kiss it. It is also desirable that he kiss the Ruknu l Yamáni.

After having thus encompassed the Ka ba seven times the pilgrim approaches the Ka ba between the black stone and the door called the Multazim (الملتزم) and presses his body against the wall placing his right cheek upon it and stretching out his arms and hands upon it and saying O God O Lord of the ancient house! Save my neck from hell fire. This is considered a place where prayers are answered.

The pilgrim now performs a prayer of two rakas behind the Makám Ibráhmá in the first of which he recites Súra 119 and in the second the Suratul Ikhlas 112. These are the two rakas of the Tawáf (ركعتا الطواف) he then closes his processions by once more touching and kissing the stone (السعي بين الصفا والمروة).

After having performed the seven processions round the Ka ba the pilgrim issues from the temple gate called the gate of Safá and ascends the hill of Safá a little so that he can see the Ka ba here turning his face towards it he repeats praises and petitions then he walks alternately at a slow and quick pace till he reaches the top of the hill Marwa. Between these two hills he walks backward and forward sometimes slowly some times quickly seven times repeating each time the same petitions (Súra 11 153). Women are dispensed from observing this custom. This is called the *بين الصفا والمروة* the walking between Safá and Marwa. This custom is said to be observed in remembrance of Abraham when he searched for water for his son Ishmael and ran backwards and forwards in great trouble of mind.

When the pilgrim has performed these rites he is at liberty to leave the sanctuary and return to his house in the town. He must however continue to wear the Ihram and keep his mind in the same state of devotion and reverence. He may not as a duty but as an act of merit repeat the processions round the Ka ba up to the 7th of Zu l Hijja.

(الوقوف في عرفات وما قبله)

On the 7th of Zül-Hijja three days before the feast of the sacrifice (عيد الأضحية) immediately after the noon prayer the Imám standing near the Ka'ba informs the pilgrims of the approach of the feast and preaches a sermon in which he exhorts them to prepare themselves for the solemn rites to be observed and instructs them how to observe them. On the following day the 8th which is called يوم التروية the day of watering (so called because the pilgrims give drink to their camels as a preparation for standing on Arafát where there is no water) immediately after morning prayer the pilgrims proceed to Mina where they spend the night. It is laudable to walk on foot reciting the appropriate petitions. The next morning the 9th after having spent the night at Miná and performed morning prayer the pilgrims proceed on their way to mount Arafát. On arriving there they pitch their tents in the plain of Arafát near the mosque. After the requisite ablutions they repair to the mosque where the Imám after the decline of the sun ascends the pulpit and after the Mu'azzin has called to prayer preaches a sermon consisting of two parts after this he performs with the congregation the noon and afternoon prayers together. The pilgrims then take their stand on Arafát in any place of the hill but not in the valley. While standing there one behind the other they must not cease to pronounce words of praise and prayer and repentance (أشواق المسجد والسبيح والتهليل) they must not leave Arafát till after sunset so as to have spent there part of the day and the night (Ibn 'Abidin ii 18).

Leaving Arafát after sunset the pilgrims proceed to a place called Muzdalifa repeating petitions and praise. Arrived there it is desirable that they perform their ablutions in honour of the same. There the Imám and the assembled pilgrims perform sunset and night prayers together with one Azán and two Iqama at the time of the Ishá and spend the night at Muzdalifa.

After midnight they prepare themselves to start and provide themselves with little stones or pebbles (seventy may suffice).

Very early after morning prayer on the 10th of the month the procession begins to move towards Miná. On reaching the further end of Muzdalifa they stop awhile and recite the appropriate petitions for this holy place (المشعر الحرام) then leaving it before the sun rises they press on till they reach the Wádi Muhassir (وادي محسر) which they traverse in speed. When the sun of the great day of the sacrifice has risen the pilgrims raise their voices in praise and prayer till they have reached Miná and the three heaps or pillars of pebbles not far from each other. The last one is called the Jumratu l Aqaba (جمرة العقباء), known

as the great devil (الشیطان الکبر) the middle is the Wus'at (الوسطی) and the first one Jumaratu' tula (جُمَارَاتُ التُّلَا). The two heaps of pillars are on this occasion passed without notice of them but on reaching the Jamaratu' tula the pilgrim throws the seven stones of the tula. This is done when the sun has risen about the length of a spear above the horizon the pilgrim seizes one after the other of the seven pebbles with the thumb and the forefinger of the right hand and throws them one by one saying every time he throws a pebble. In the morning this is in obedience to the Most Merciful and in spite of the devil the object is to confound the devils who are supposed to be the enemy is called the throwing of stones (رمى الجمر).

The pilgrim having thus performed the rite of throwing stones to Mina and here offers the sacrifice (يذبح أضحية) of the lamb. Sacrifice. The victim may be a sheep or a goat or a cow or a bull according to the means of the pilgrim. It is a matter for the pilgrim to slaughter the sacrifice with his own hand. This is done in the following manner placing the head of the victim towards the Kaaba the forelegs being tied together he stands on his right leg and plunges his knife into its throat with great force crying with loud voice in the name of God God is great. Part of the flesh of the sacrifice is to be roasted and eaten by him who offers it and the rest is distributed among the poor. The sacrifice offered on his behalf is called (مُحَابَا) a word not used in the Qur'an but in Tradition. It is derived from مَحَا the advanced morning (about 10 o'clock) which is the time when this sacrifice is to be offered.

Besides this obligatory sacrifice of the pilgrim there are other sacrifices and gifts presents offerings called (هدى) consisting of animals (camels oxen sheep) which a Muslim who performs the pilgrimage sends as offerings to the sacred temple. These offerings are branded and sent off with strings necklaces (أقلام) on their necks (Sura v 2 96 98) in sign of their being set aside as offerings to the sanctuary so that they may not be interfered with (see Ibn Abdin 269 باب الهدى). The sacrifice (camel) of thanksgiving is to be designated but not the sacrifice of obligation (بسر الهبة ثم الاحسا والجنابة). Such offerings are often presented as voluntary gifts by pilgrims besides the obligatory sacrifice and are dealt with like the obligatory sacrifices except that their being presented at Arafat is not strictly required. Muhammad on his first pilgrimage slaughtered sixty-three camels.

The pilgrim now gets his head shaved during which operation he repeats the appropriate petitions for the bald it suffices to pass the

This lesser pilgrimage called the Umra can be performed at any time except the 8th 9th or 10th of Zul Hija these being the days fixed for the Hajj, the great pilgrimage. It can be performed before or after the great pilgrimage jointly with or separately from the same. It is not of the same import nor meritoriousness, nor a

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 He shaves his head for women cut off a bit of hair. He has now fulfilled the greater part of his duties as a pilgrim and is restored to the freedom of his former freedom (استقل الأهل) all things which had not been allowed to him in his capacity of a pilgrim are now again licit. He may now resume intercourse with women and hunting. He now returns to Mecca and circumambulates the Ka'ba seven times in the same manner as the first time. This is called the Procession of visiting (طواف الزيارة) distinct from the first which is the procession of the Umra. This procession properly concludes the pilgrimage and the pilgrim is now free of the Ihram.

He has however two more duties to perform during the three days of the 11th 12th and 13th which are called the days of tashreeq (أيام التشريق) derived from the root tashreeq the flesh because now the pilgrim prepares provisions for the return journey by cutting slices from the thigh of the animal offered on sacrifice and drying them in the sun. The pilgrim is involved in spending the night at Mina and repeating the act of throwing stones. The night thus spent at Mina is called the Night of Tarweeh (ليلة الترويه) on the second day of the feast he performs his ablutions for the act of throwing the stones (أغسل للرمي) and then repairs to the first pillar (الحجر الأسود) near Araklat and throws at it seven stones then to the second pillar and then to the third pillar where he again throws stones with the same petitions as before.

These duties fulfilled, he returns to Mecca and performs the procession of farewell (طواف الوداع) in going round seven times with the same petitions as formerly then he performs a prayer of two rakas behind the Wakaf Ibrahim he also drinks of the holy well of Zamzam (زمزم) and goes again to the place of the Ka'ba called Multasim pressing his body against it and repeating the appropriate petitions. Retiring backwards and steadily keeping his eyes fixed on the Holy House till it is out of sight he makes his exit and the Hajj with its obligatory and praiseworthy rites and ceremonies is completed. (For more details, and the proper petitions see Ghazali 100)

duty of the same obligation as the Hajj but still it is a Sunna duty in imitation of the Prophet's example and in obedience to his exhortation Join the Umra with the Hajj for truly the joining of both brings a blessing on your days and your possessions, and wipes out your sins and purifies you ¹

¹ **أحرم بالعمرة أصمر** he performed the Umra He who decides to perform the Umra washes himself and puts on the pilgrim's garb and begins the pilgrimage from one of the appointed stations he proceeds to perform the Umra and recites the talbia then goes to the mosque of Ayesha and then says a prayer of two rak'as and the appointed petitions He then returns to Mecca and encompasses the Ka'ba seven times and runs between Safa and Marwa He then has his head shaved and the Umra is completed

It consists of the same rites and ceremonies as the Hajj with this exception that there is no sacrifice required Residents at Mecca should perform the Umra frequently These are the four kinds of pilgrimages

(1) The joined pilgrimage (**حجّ مَرَان**) which requires the putting on of the Ihram once for both

(2) The pilgrimage of enjoyment (**حجّ المَسْع**) which consists of first performing the Umra then after having taken off the pilgrim's garb putting it on again at the proper time and performing the great Hajj

(3) The great Hajj alone (**أفراد بالحجّ**)

(4) The Umra alone (**أفراد بالعمرة**)

There are punishments of various degree according to the gravity of the sin or negligence committed by the pilgrim He has to offer a sacrifice or fast or give alms (**حجّ دمان أو دم أو صوم أو صدقة**) for having been in an unclean state while encompassing the Ka'ba for having had sexual intercourse with his wife or slave after standing on Arafat A smaller expiation is inflicted for the use of perfume covering the head and so on

If a pilgrim is prevented by an enemy or illness (or if a woman by the death of a near relation who was her protector during the pilgrimage) he is at liberty to give up his pilgrimage and to defer it to the following year

A Muslim who is not able to perform the pilgrimage personally may do so by proxy This kind of pilgrimage is legal and the merits of it are placed to the account of him in whose favour it is undertaken even if

JIHAD —The fighting against unbelievers - **سُـرُـة مَعَارِى** - **الجهاد** with the object of either winning them over to Islam, or subduing and exterminating them in case they refuse to become Muslims and the causing Islām to spread and triumph over all religions is considered a sacred duty of the Muslim nation. It is not a duty incumbent on every individual Muslim but on the nation as a whole. This is meant by calling it a general duty and not an individual duty. It rests on a direct command of the Qur'an (Suras ix 5, 6, 29, iv 76 79 ii 214 215, 186 viii 39-42)¹

it be a dead person. It is an acknowledged doctrine of Islām that the merit and reward of every kind of worship and good actions may be acquired for another person. He who performs the pilgrimage by proxy does not derive any merit for himself.

After the completion of the Hajj it is considered most desirable and meritorious to visit Madīna. Muhammad said: He who visits me after my death is as if he had visited me during my life time. The visitor performs a prayer of two rak'as near the pulpit after which he visits the tomb of the Prophet (القبر الشريف) with the appropriate salutations.

On returning home it is a laudable custom for the pilgrim whenever he ascends a hill to say three takbirs and when he comes in sight of his place of residence to say: O God let me live in it in peace and grant me my portion then to apprise his family of his arrival and to go first to the mosque and there perform a prayer of two rak'as.

Muhammad said: Man does nothing on the Day of the Sacrifice more pleasing to God than the shedding of blood: the blood which flows on the earth is accepted of God.

¹ A learned Muslim doctor gives the following definition of Jihad: It is the calling on unbelievers to receive the true religion and fighting those who do not receive it. (الدعـاء إلى الدين الحق و قتال من لم يقبله)

Ibn Abidin iii 285 308 Bukhārī ii 110-168) Muhammad used to say: Paradise is under the shade of the swords. (الجنة تحت ظلال السيوف)

War is permanently established until the day of judgment. One day of fighting is of greater value with God than fasting a whole month.

ربما يوم لى سبيل الله خير من صيام شهر. He who dies without having ever

When the new sects of people
 were first established in the day
 of the Prophet (ﷺ) they were created free
 and equal.

When the Prophet (ﷺ) was with the believers who
 were at the battle of Uhud he said the word
 "Imdad" (help) and the word "Iddah" (help)
 he said "Iddah" (help) under the orders
 of the Prophet (ﷺ) in the various expeditions (bl-
 ghah) (battles) of the Prophet (ﷺ) he said "Iddah" (help)
 and "Iddah" (help) in the various expeditions.

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 and "Iddah" (help) in the various expeditions.

It is the duty of the Imam to explain to the people once or twice
 a year the duty of the Imam to fight the unbelievers. If
 the Imam does not do this he is a hypocrite who knows that he
 is not a Muslim.

2. The exception of Islam in which case they become secure as to
 their persons, families and possessions and enjoy all the privileges of
 Muslims whose brethren they have become.

If they do not embrace Islam they have to pay the tribute or
 poll tax (الجزية) by which they obtain protection and become Zimmis

(ذمى), that is subjects allowed to profess their own religion provided
 it be not gross idolatry. It is the duty of the Imam to explain to those
 who have to pay the poll tax the amount to be paid and the time at which
 payment is required. This capitation tax is of two kinds (1) that which
 is established by an act of God and by composition when people make peace
 with Muslims before war takes place and (2) that which the Imam im-
 poses after conquest on every person according to his means.

If they will neither embrace Islam nor pay the poll tax then the
 women and children will be made captives and so become slaves while the
 men will be slain or otherwise disposed of at the pleasure of the Imam.

Muslims ought to call upon non Muslims to embrace Islam before they attack them If they do embrace

The capitation tax is called Jizya (جزيه from جرى, to satisfy to compensate) because it is a compensation for the life of the unbeliever It is a kind of tax (خراج) and may be called capitation tax (خراج الرأس) It is also called by some captivity tax (الجاله) from جلا to lead into captivity) as it was first applied to the Zimmis who were by order of the Khalif Umar carried away from Arabia into captivity Muhammad had spared the lives of the Christians of Najran on condition of their delivering annually two thousand cloaks and Umar spared other Christians on condition of their paying double the tax required of Muslims The taxation takes place at the beginning and the payment at the end of the year or at the end of every month or two months The poll tax taken from people of the book (كسائي) that is Jews Samaritans and Christians of all denominations and from the Magi and idolaters on condition that they are not from Arabia Idolaters from Arabia and apostates must choose between Islam and the sword Women children the blind crippled and monks are exempt from paying the tax

The capitation tax must be delivered by the person who owes it himself it cannot be sent by another person but the person who owes it must himself hand it over stand while the Muslim who receives it strikes him on the neck saying Give to thy enemy of God (Ibn Abidin iii 294) The Zimmis who are under the protection of Muslim are not allowed to build either churches or synagogues or convents or burying places or any other place of worship their churches in Arabia must be pulled down and they themselves must not be allowed to reside in any of the towns or villages of Arabia for the Prophet declared that the existence of two different religions cannot be allowed in Arabia (لا يجمع دنان في جزيه العرب) (Ibn Abidin iii 235 29) A church when destroyed or in ruins cannot be built up again

The Zimmi must distinguish himself from the Muslim by wearing different clothes lest he receive the marks of honour and respect due to the Muslim only He is to be kept in a state of subjection and abject humiliation He must not ride on saddles like Muslims When the Muslim stands he may not sit No Muslim ought to show him respect and honour If he meet him in the street he must make him go aside They must not live in large numbers in the midst of Muslims and if they possess houses of their own they must be forced to sell them to Muslims Their houses must be lower than those of Muslims A Zimmi loses his

DAVID HARRIS ON ISLAM.—The world according to the doctrine of Islam is divided into great divisions.

The Land of Islam (دارالاسلام) is one governed according to the laws of Islam. It again becomes a Land of Warfare under the following circumstances: (1) when the country is governed according to the laws of unbelievers instead of the laws of Islam (أحكام أهل الشرك) (2) when the country in question becomes joined to a Land of Warfare.

PLUNDER (كسب) — It is taken from the enemy by force during the war and tribute (كسب) from the enemy. The tribute received from unbelievers is paid over to the general treasury for the benefit of the Muslim nation at large.¹

and no other Muslim jurisdiction between them (3) when no more protection (أمان) remain for either Muslim or Zimmi though they had at first enjoyed protection when the country was conquered by Muslim. The Land of Warfare becomes a Land of Islam when the laws of Islam are promulgated in it and it is governed in accordance with the same. Only the Friday prayers and Muslim festivals are observed.

It is not allowed to disfigure people by cutting off their ears and noses. Though it is related that the prophet disfigured the (أعدائهم) such actions are abrogated by subsequent prohibition. Muslims should not slay women or children or aged bedridden and blind persons or monks in their cells devoting themselves exclusively to the service of the church. It is allowed in war to cut off the head of the enemy and carry it about and to dig up the graves of infidels in search of objects of value.

If the Muslim in fighting meet his father or the head of the infidels he must not begin fighting him. Anyhow he must not kill him but hit him in view till some other come and slay him. For thus the end is answered without the son slaying his father which would be a sin. If a free Muslim man or woman has granted pardon to an unbeliever or a company of them the promise must be respected by Muslims. The infidel who asks for pardon is to be spared.

If the Imam consider it desirable in the interest of Islam to make peace with any particular tribe or people he is allowed to do so. He may either accept a ransom from them or pay them a sum of money to obtain peace if he feels that he is not strong enough to overcome them. If after such an agreement he should however perceive that it is more advantageous to break it he may lawfully renew the war. Due notice must, however be given. In case a country submits to Muslim rule peacefully the land remains the property of its original inhabitants on condition of their paying the land tax (كسب) for the same.

¹ If the Imam conquers a country by force of arms he is at liberty to leave the land in the possession of the original proprietors on condition that they pay the land tax beside the capitation tax or he may divide among the Muslim. Muslims who become proprietors of the same have to pay the tenth and nothing else. With regard to movable property it

CAPTIVES — Unbelievers taken in war, except idolaters of Arabia and apostates who must be killed who do not embrace Islām may either be killed or made captives (أسارى plural اسير) or be granted their liberty on condition of their becoming *Zumms* according to the decision of the *Imām* ¹

is not lawful for the *Imām* to leave it in the possession of the infidels but he must bring it away with the army and divide it among the soldiers

Four fifths of the spoil belong to the troops and one fifth must be divided into three equal portions (1) for the relief of orphans (2) feeding the poor (3) the entertainment of travellers his latter class includes the poorer members of the Prophet's family of the Banī Hāshim Captives form part of the plunder All cattle and baggage which cannot be carried away upon a retreat must be destroyed For the proper distribution of the booty the *Imām* ought to appoint competent men who on the army's entering the territory of the enemy make a list of the combatants distinguishing foot-soldiers from horsemen He who goes to war on foot receives one portion, the horseman receives two Women children slaves non-Muslims may receive gifts (not portions) from the booty The *Imām* may also promise the Muslim warriors additional rewards in order to encourage them to fight bravely

On the first considerable success of Muhammad in war the dispute which happened among his followers in relation to the dividing of the spoil rendered it necessary for him to make some regulation concerning it A divine commission was produced authorising him to distribute the spoil among the soldiers at his own discretion reserving the fifth part for the uses above mentioned ' They will question thee about the spoils (الأنفال) say ' the spoils are God's and the Apostle's and know ye that when ye have taken any booty a fifth part belongeth to God and the Apostle and the near of kin and to the orphans and to the poor and to the wayfarer (Sūra viii 1)

Muhammad was entitled to a portion of the spoil like other members of the expedition but he enjoyed the privilege of choosing and appropriating to himself before the general distribution as part of his portion any object he desired to possess This is called *مغيب* Thus he took possession of a valuable sword called *Zulfiqār* and *Safī'a* the beautiful girl from the spoil taken from the Jewish tribe of Khaibar

(هو المغي كان يطفه لنفسه)

¹ It is not lawful to release infidel captives in exchange for the release of Muslim captives from the infidels (فداهم) nor to release them

PROTECTION SECURITY (امان)—This is granted to infidels in the lands of the Muslims as well as to Muslims in unconquered lands and must be scrupulously observed. Protection given to a non Muslim to enter and reside in a Muslim place is not to be extended over a year lest he become a spy (حارس - عى). If he desires to remain longer, he must become a Zimmi and pay the capitation tax.

BITU L MAL—This is the name given to the public treasury and is the place where the fifth of the spoils and booty the capitation tax levied on Zimmis, presents received in return for protection land taxes the produce of mines and treasure trove, property for which there is no owner and the Zakat are deposited¹.

APOSTASY²—This is the forsaking of Islam by expressing such disbelief with the tongue, after one has been a believer.

(الارنداد هو احرء كلمة الكفر على اللسان بعد الايمان)

gratuitously. Some however consider it lawful. Cattle and implements of war must be destroyed. Women and children of infidels who cannot be carried away must be left in a desert place where they find neither water nor food so that they may die of hunger and thirst because it is not lawful to kill them. The bodies of Muslim women who die in the land of warfare and cannot be buried in a safe place, must be buried so that they may not be exposed to ill usage by the enemy.

¹ From this property various expenses such as salaries allowances subsidies expenses for the public good are defrayed. The salaries of Imáms and Muazzins and other persons appointed in connection with Mosques, of learned professors teaching the Qur'án and Traditions of Qádís soldiers and those who defend the boundaries also come from it. It defrays the expenses of building bridges and mosques and of making ponds.

Lying is allowed in war. He who slays an enemy takes his weapons and no fifth is due on the same.

² Some say that the mere forsaking of the faith without giving expression to unbelief (كفر) constitutes apostasy but the majority of the men of the Hanafi School are of opinion that it is the forsaking of Islam.

inwardly together with the confession of one's unbelief that constitutes apostasy.

A Muslim who apostasizes is to be brought before the Imám and called upon to give up his unbelief and return to Islám. He is imprisoned for three days and invited every day to recant; if he asks for a further delay he is to be granted the same; but if after that delay he does not recant he is to be killed. A female apostate is not subject to capital punishment but must be kept in confinement till she recants. Some doctors say she is to be imprisoned and beaten every day till she recants or dies. The person who thus kills her is not guilty. If either the husband or the wife apostasizes a divorce takes place *ipso facto*; no sentence of divorce is necessary. A boy under age who apostasizes is not to be put to death but to be imprisoned until he comes to full age (seven or eight years); if he continues in his unbelief he must be put to death. An insane person a drunkard or one forced is not held responsible for apostasy. If a person is so compelled by force to apostasize his wife is not divorced nor are his lands forfeited.

It is a controverted question whether in the case of an apostate (مرتد) who repents and returns to Islám his repentance and confession of faith are sufficient or whether besides this he must abjure the religion he had adopted. Some affirm others deny the sufficiency of the confession and return to Islám (لا يكون مسلماً حتى تراءى من دينه ويقر أنه دخل في الإسلام). Ibn Abidin iii 319. If the declaration of apostasy can possibly be explained in a different way this must be done so as to clear the person from infidelity.

An unbeliever who insults (سب) one of the prophets is to be killed; if he insults or curses God (ابن سب الله تعالى) and repents, the punishment must be remitted; for in the case of transgression of man, the punishment is necessary but in a transgression against God the punishment can be omitted for God is forgiving and merciful. According to the Sunni doctrine, he who insults or curses the two first Khálifs Abú Bakr and Umar becomes an infidel; if he considers Ali superior to these he is an innovator a heretic (مبتدع).

The sorcerer (الساحر), that is one who practises sorcery or considers it lawful, is an infidel and deserves death. The repentance of the Zindiq (زندى hypocrite) as well as the sorcerer if he repents before he is seized is accepted and the punishment is remitted; but if he repents after he is seized his repentance is of no avail and the sentence of death must be carried out. Whether the apostate who returns to Islám will lose or keep his former good works is a controverted question some affirming others denying it.

REBELLION (الْعِدَاء - العدا) — A Rebel¹ is a person who withdraws from obedience to the rightful Imam or rises against him without sufficient cause. If rebels have sufficient cause to refuse allegiance to the Imam and disobey his orders, they are not rebels. In this case Muslims not implicated in the matter must abstain from assisting either party.

THINGS LAWFUL AND UNLAWFUL — It is the duty of Muslims to exhort and assist people in doing good and to dissuade and whenever possible to prevent them from doing evil. This is not the duty of every individual but it is sufficient if some of the nation perform it. The two parts of this duty — exhorting to good works and dissuading from evil are included in the technical term *Hisba* (حِسْبَة). He who performs the duty is called the *Muhtasib* (مُحْتَسِب). On all the questions concerning the duties of a *Muhtasib* the curious will find a detailed description in Ghazali's *Ihya*. Before the exhortation one must be sure that the person to be reproved has committed or intends to commit an unlawful action and that he is likely to accept and act according to the advice. If it appears that the person will not listen then the exhortation

Alí says: A Jewess insulted the Prophet whereupon a man strangled her till she died. Muhammad declared that nothing was due for her blood (أَبْطُلَ دَمُهَا).

¹ There are three classes of rebels thus described: (1) highway robbers (لصوص - قطاع الطريق) (2) rebels who disobey or rise against the rightful Imam without sufficient cause (3) the *Khawárij* who reject the rightful Imam whom they consider an infidel and who hold it to be lawful to shed the blood of the orthodox Muslims, to plunder their property and to make their women and children captives. These are not to be considered infidels as they build their false opinions on verses of the Qur'an which they misinterpret. These rebels must first be made aware of their error; if they refuse to be persuaded they must be brought to allegiance by the force of arms.

is not a duty. If the duty can be exercised it must be done gradually, first gentle reproof then admonition and then strong measures.

TRANSACTIONS (المعاملات)—Thus far in the consideration of Fiqh, we have dealt with the laws and regulations concerning worship and religious duties (مبادات) such as Prayer, Almsgiving, Fasting and matters more distinctly religious. We now proceed to the second part technically called المعاملات or transactions which treats of the laws and regulations by which the private relations of Muslims among themselves and with unbelievers are ordered.

This part comprises

(1) Contracts (عقود) and agreements to which the mutual consent of the contracting parties is required such as marriage, buying and selling, etc.

(2) Orders (أحكام) treating of all matters depending on the will of a single person such as divorce, slavery, vow, etc.

(3) General laws and regulations (أحكام عامة) treating of various general laws and regulations which relate to the civil concerns of Muslims chiefly such as concern inheritance, testimony and the power of the Qadi.

MARRIAGE (النكاح)—Marriage¹ is enjoined upon every Muslim and celibacy (زوجه) is discouraged. Muhammad is reported to have said on the subject: "When the servant of God marries, he perfects half his religion, and also 'Marriage is my custom, he who dislikes it does not belong to me'." Marry and multiply, so that I may be glorified by my nation over other nations. Consequently

¹ Ibn Abidin says: "There is no other devotional service instituted and practised on earth from the time of Adam and which will continue in Paradise except marriage and faith. Marriage is considered a kind of

in Islam even the members of the ascetic Orders are generally married

Marriage is defined by Muslim jurists to be 'a contract by which the husband obtains possession of the wife and is allowed to enjoy her if there be no legal impediment preventing the same'.¹ The husband has power over the wife but not the wife over her husband

The validity of the contract depends on the consent of the parties that is, the assertion and declaration of the husband, and the acceptance by the wife or her representatives. The Qur'an says: 'Marry what seems good to you of women by twos or threes or fours or what your right hand possesses (i.e., slaves) (Sura iv 3)'

There are three kinds of marriage

- (1) Legal permanent marriage (نكاح دائم)
- (2) Temporary marriage (نكاح المدة) now illicit according to the Sunni law but not so with the Shi'ahs
- (3) Marriage with a slave (نكاح الأمة)

devotional service as it is the means of increasing the number of Muslims, and of keeping the believer in a state of chastity. If a man feel inclined to marry it is his duty to do so and if he fears that he will be tempted to fornication it is obligatory on him to marry.

¹ Liberty is allowed a woman who has reached the age of puberty to marry or to refuse to marry a particular man independent of the wishes of her guardian who has no power to dispose of her in marriage without her consent or against her will. If she has been promised in marriage during her infancy by her guardian she has the right on reaching her majority to ratify or dissolve such a promise. When a woman adult and sane chooses to be married through an agent she empowers him in the presence of competent witnesses to convey her consent to the bridegroom. The expression of consent on the part of the woman may also be given in an indirect way without words. If a virgin is silent or smiles or laughs it is taken as her consent.

In the selection of a wife the Muslim is advised to look for the following qualifications in her (1) piety (ان تكون ماله ذات دين), (2) good

As regards the validity of the marriage¹ the Muslim is permitted to marry four free women (أربع من الحرائر), and to have as many slaves as concubines² (سراى pl سرته) as he may like (العسرى حاصصاً من الإماء) Sura iv 3)

The legal disabilities to marriage (أسباب التحريم) are (1) consanguinity (علاقة - نسب), (2) affinity (مصاهرة) i.e., mother in law step grand mother daughter in law (3) fosterage (رضع), a man cannot marry his foster mother his foster sister (4) a man may not marry his wife's sister (5) a man married to a free

character (حسن الخلق) (8) beauty (حسن الوجه) (4) a small dowry (أن يكون ولداً) (6) that she be a virgin (أن يكون بكراً) (7) a good family (أن لا يكون من الرابة العريضة) (8) that she be no near relation (أن يكون من الرابة العريضة) A free woman is preferable to a bond woman (For further details see Ghazali and Dictionary of Islam 674)

¹ The conditions of the validity of the marriage are sound reason puberty freedom that there be no degree of affinity which prevents marriage and the declaration on the part of the husband and the acceptance on the part of the woman

Ghazali (ii 22) says on the subject There are four conditions which must be considered in the contract of marriage (1) the consent of the guardian (إذن الولى و أن لم يكن مالم سلطان) (2) the consent of the woman (رضا المرأة أن كانت نبيها بالها أو بكراً) (3) the presence of two trustworthy witnesses (حضر بالها شاهدين كاهرى العدالة) (4) declaration and acceptance (إيجاب وقبول) pronounced in due form by two men (not females) authorized thereto According to the Hanafi school there is no necessity for the intervention of the guardian.

² Only slaves can become concubines. These may be either captives taken in war or purchased by money or descendants of slaves Even married women if taken in war, are according to the injunctions of the Qur'an (Sura iv 28) at the disposal of the Muslim conqueror

woman may not add to her by marriage a female slave
 (6) *إِدْخَالُ امْرَأَةٍ عَلَى حُرَّةٍ* a man may not marry the wife
 or *Maladda* of another man before the expiration of the
 woman's *'idda* (إِدَّة), her period of probation (7) a
 Muslim may not marry an idolater or *Majusiyya* (مَجُوسِيَّة),
 (8) *مَنْ نِكَحَ يَهُودِيَّةً أَوْ نَسْرَانِيَّةً* he may marry a Jewess a Christian
 or a Sabeian woman (8) a man may not marry his own
 slave or a woman her bondsman (أَنْ يَكُونَ مَمْلُوكًا)
 (9) *إِنْ نَكَحَ مُؤْمِنٌ غَيْرَهُ* If a man pronounces three divorces
 upon his wife who is free or two upon a slave, she is not
 lawful to him till she has been regularly married to
 another man called the *Muhallil* (مُحْلِل), one who makes
 marriage lawful. He having duly consummated the
 marriage, afterwards divorces her or dies and when
 her *idda* from him is accomplished she can remarry
 her former husband (Sura iv 26 27 See Ghazali ii
 22) A woman who has been divorced by the form called
li'án (لِعَان) can never be married to her former husband
 again¹

¹ After a man has made the choice of a female for marriage the law allows him to see her first. He, accompanied by some friends goes to the house of the agent and there settles the amount of the dowry which is paid at an early day. This is called the writing of the contract. The Muslim law appoints no specific religious ceremony or rites to be observed on the occasion of marriage. Mutual consent in the presence of witnesses is sufficient to make the marriage valid. On the day appointed for the marriage, the bridegroom, accompanied by some friends goes to the place agreed upon. They are received by the guardian or agent and some friends. Two trustworthy witnesses must be present. All persons present then recite the *Fātiha* and the bridegroom delivers the dowry. The bridegroom and the agent of the bride sit upon the ground face to face and grasp each other's right hand raising the thumbs and pressing them against each other. Having placed a handkerchief over

A temporary marriage is called mut'a (مُتَا) This is a marriage in which the time for which it is contracted is mentioned. This kind of marriage was allowed by Muhamminad for some time, but afterwards he prohibited and abolished it. The Shi'ahs however, still consider such a temporary marriage perfectly legal and establish the legality of it not only from Traditions but also from declarations of the Qur'an (Sūra iv 29 see Dictionary of Islam, 424)

The Guardian is called al-Wahī (الْوَلِيّ) from وَلِيَ, to be near to be intimate patron helper. The guardianship may be established by relationship (father mother), or possession (of male or female slave by the master) or friendship. According to the Hanifa School a free woman of age and of a sound mind, whether virgin or married before (بِكْرًا وَتَبًا) is entitled to give her consent and to contract a marriage without the intervention of the guardian.¹

their hands a Faqih generally pronounces a kind of Khutba or sermon consisting of a few words of exhortation and prayer with quotations from the Qur'an and Traditions on the excellence and advantages of marriage. He then requests the guardian or agent of the bride to say 'I marry to thee my daughter for a dowry of such and such an amount. The bridegroom thereon says 'I accept from thee her marriage with myself and take her unto my care and engage myself to afford her protection, and ye who are present bear witness of this. Before the persons assembled on this occasion disperse they settle when the night of the entering (لَيْلَةُ الدُّخَانِ) is to take place, that is when the bride is to be brought to the house of the bridegroom. (For a description of the rejoicings and the customs observed between the time of the contract of the marriage and the bride's being conducted in procession to the house of the husband see Dictionary of Islam 828-827)

¹ This mediation is, however, considered more becoming to female modesty. In case of young persons and slaves the guardian is absolutely required (الْوَلِيُّ شَرْطٌ فِي نِكَاحِ صَغِيرٍ وَمَيُونٍ وَرَقِيقٍ). According to Shāfi'i the

There must be a certain degree of equality (كفاية) between husband and wife as regards family, social and financial condition, freedom and religion. This sufficiency is required however more on the husband's than on the wife's side. It is the duty of the guardian to see to this (العبد من لا يكون كفوًا للعزبة). A person from a town may marry one from a village (العروبي كفوء للمدني).

The dowry is also called عفر - سقيہ - سجد - صدقہ - سدان. This is the money due by the husband to the wife for the right of cohabitation with her¹. It is a sum settled by mutual agreement. It may be specially mentioned, or it may not be mentioned and left to a subsequent agreement.

Marriage by exchange (تكايف السعار) is that when a man marries the sister or daughter of another and in return gives his sister or daughter, and does this in order

guardian is required in all cases. According to the Shi'ah law a woman who is adult and discreet requires no guardian to make marriage valid.

Ibn Abidin (ii 319) mentions that marrying a woman for the day, time only (النهاريات) is legal on condition that the man consent to the woman that he will stay with her only in the day time, while he will spend the night with another wife.

(ان يتكوي عندها في النهار وفي الليل عند غيرها)

¹ Dower is generally divided into two parts termed مهمل, or prompt which is paid on entering into the contract and مؤجل, or deferred which is paid upon dissolution of the contract, or on the demand of the wife in case of divorce. If the husband has consummated the marriage with the wife, or has only mother alone and seen her, without consummating the marriage (which meeting is called المصاهرة, retired solitary place), she is entitled to her full dowry. If the husband divorces her before the consummation of the marriage, and without his having seen her in a solitary place, she is only entitled to half of the dowry.

to avoid paying the dower. It is considered by some authorities blamable though not absolutely unlawful they considered the right of cohabitation (مصح) to be the dowry given by both contracting parties. The majority consider such a marriage illegal, since the Prophet has clearly prohibited it. An adulteress may only marry an adulterer or polytheist this is according to the Qur'an

الزانية لا تسكنها الا ران او مسر

Marriage of a slave (بكاك الرقيق) is governed by certain rules. An unbeliever who is taken in the enemy's land (دار الحرب) is called a رقيق, not مملوك. After he is removed to a Muslim country he becomes مملوك, consequently every رقيق is مملوك, but not every مملوك is رقيق. A رقيق is a slave who belongs to his master in part or as a whole (كلاً او جزءاً). A slave, the whole of whom belongs to his master is called ابي عبد. The marriage of a slave male or female whether he or she is رقيق or ابي عبد can only take place with the permission of the master and no dowry is given before the slave consummates the marriage.

The duties of the husband to his wife and the duties of the wife to her husband are described by the term 'آداب المعاصر' (Sûra ii 920). The husband ought to be careful to maintain a middle course in dealing with his wife in twelve points¹

¹ (1) The marriage feast (الوليمة), (2) kindness (حسن الخلق), (3) plvfulness (منهج متقصد مداعبة), (4) policy maintaining his dignity (سياسة), (5) jealousy, not to be carried away by it (الاعتدال في الغيرة), (6) pecuniary allowance (مهر) he must give her a sufficiency (7) teaching (تعليم), (8) equally dividing (التسوية), i.e., granting every wife her due (جماع).

The customs to be observed on the birth of a child are as follows —(1) excessive joy should not be shown on the birth of a boy nor great sadness at that of a girl (2) to recite the call to prayer into the child's ear (3) to give the child a good name (4) to offer two sheep for a male and one sheep for a female child on the seventh day when the hair is shaved off the child's head for the first time Muhammad used to say "Shed blood on his account and remove evil from it" (أهرقوا دماً واطمروا عنه الأذى), (5) to rub its palate with a date or some sweet thing

Abortion (حُكْمُ اسْعَاطِ الْحَمْلِ) is unlawful under certain conditions. When the child is formed in the womb, and the spirit has been breathed into it and has given it life which takes place about one hundred and twenty days after the conception, it is generally considered that it is unlawful to bring about an abortion. Whether it can be done lawfully before this takes place, is a controverted question. Some hold it to be blamable (مَكْرُوهٌ), but the majority are in favour of its being licit, if there be good reasons for it, and the husband gives his consent

Sūra ii 224) and not to prefer one to the other (9) chastisement (تَأْدِيبُ الْمَرْءِ) inflicted by the husband by abstaining from spending the night with a wife in case of her disobedience (10) observing the proper rules in cohabitation (آدابُ الْجَمَاعِ), and (11) in childbirth (وِلَادَةُ), and (12) in divorce (طَلَاقُ). (For detailed explanations see Ghazālī and Dictionary of Islām 874) Ghazālī says "Marriage is a kind of slavery for the wife becomes the slave (رَقِيقٌ) of her husband and it is her duty absolutely to obey him in every thing he requires of her except in what is contrary to the laws of Islām.

If the wife be disobedient and obstinate the husband has 'the right to punish her and to force her to obey him, but he must proceed gradually exhort admonish threaten, abstain from intercourse with her for three days (أَعْرَضَ عَنْهَا بِالْفَرَاشِ وَهَجَرَهَا مِنْ لَيْلَةٍ إِلَى ثَلَاثِ لَيَالٍ), beat her so as to let her feel the pain but be careful not to wound her in the face or make her blood flow abundantly or break a bone." (Sūra iv 38)

DIVORCE — Divorce¹ in Law means a release from the marriage tie in the manner commanded in Law i.e. by the use of certain expressions conveying either an immediate and irrevocable or a conditional and revocable divorce which can be made definitive later on

(الطلاق رفع بيد الكاح في الحال أو المآل بلعظ مخصوص)

¹ The Muslim law of divorce is founded upon express injunctions contained in the Qur'an as well as in the Traditions. The teaching of the Qur'an upon the subject is contained in Suras ii 226 233 lxx 17. Divorce though allowed is considered blamable (مباح), and if possible to be avoided (الطلاق ابغض المباحات الى الله تعالى)

Divorce may be pronounced to take effect immediately and irrevocably (الصاق البائن) or at some future time (في المآل) which is the revocable divorce (الطلاق الرجعي). It may be given verbally or in writing.

The words by which a divorce is given to a wife are of two kinds either (1) express clear as when the husband says Thou art divorced (امت طالق طلق) or (2) metaphorical as when he says Thou art free put on thy veil arise and seek for a mate etc etc

The express divorce may be revocable or it may be irrevocable. It is of the first kind if the husband use no expression pointing to his intending a definitively separating divorce or does not pronounce the divorce three times. The figurative divorce is given by such expressions also as go out go away stand up etc (مومي ادهي اخرجي). Whether such a divorce is revocable or irrevocable depends on the intention of the husband, for by no metaphorical language is divorce effected except it be intended.

Divorce is either divorce according to the Sunna (طلاق سنة) or heterodox heretical divorce (الطلاق البدعي) which though lawful is not considered religious.

The best mode (الطلاق الحسن) is when the husband once expressly and clearly pronounces to his enjoyed (المدخول بها), but unpregnant wife the sentence Thou art divorced when she is in a state of purity (طهر) during which he has had no carnal connection with her and then leaves her to complete the prescribed period of probation of three months (العدة). Until the expiration of this time of probation the divorce is revocable.

but after the period is elapsed it is irrevocable and if the husband wishes to take back his wife they must go through the ceremony of marriage again. To divorce a wife when she has her courses or in 'he time of purity in which the husband has had intercourse with her is heterodox and unlawful (بدعى حرام) (Ghazali: 1 82)

The good divorce (الطلاق الحسن) is when the husband repudiates his enjoyed wife by three sentences either express or metaphorical not pronounced at one and the same time but giving one sentence in each period of purity (تفريق الثلب فى ثلاثة اطهر لا وطئه فيها)

The heterodox irregular form of divorce (الطلاق البدعى) is when the husband repudiates his wife by three sentences of divorce pronouncing them either at one and the same time or separately during one and the same period of her purity. In this case the husband cannot under any circumstances take back his wife again until she has been regularly married to another husband enjoyed by him and then divorced. This intermediate husband who makes the marriage of the former husband to his irrevocably divorced wife 'legal again is called the Muhallil (المحلل) who makes a thing otherwise unlawful legal. This arrangement rests on a direct command of the Qur'an (Sura 11. 230). The Muslim doctors are very particular in explaining that it is not sufficient for the Muhallil to contract the marriage with the divorced wife but that he must necessarily consummate it and that in certain cases the birth of a child of this marriage is required in proof of the marriage having actually taken place. Should the woman desire to return to her first husband she may make it a condition that the Muhallil should divorce her after the consummation of her marriage and if he refuses to do so, the Qādi may compel him (Ghazali 11 83). A husband may divorce his wife without any misbehaviour on her part and without assigning any cause and his divorce is effective if he be of sound understanding of mature age and free to choose. The divorce by a boy or a lunatic would not be effective. If the husband pronounce divorce in a state of drunkenness from drinking fermented liquor or from taking opium or hashish or if he pronounces it in jest or by a mere slip of the tongue still the divorce takes place.

There are also other reasons which sanction divorce if required viz

(1) جُبْن, Jubb if the husband has by any cause been deprived of his organ of generation (from جُبْن to cut off). A man suffering from such a defect is called (مَجْهُوب)

(2) عَدَّة Impotence, in either husband or wife. A year of probation may be granted in these cases by the Qādi.

(3) Inequality of race or tribe. A woman cannot be compelled to remain the wife of a husband who belongs to an inferior tribe.

(4) Insufficient dower If the stipulated dowry is refused when demanded divorce can take place—(See Dictionary of Islām 86)

In addition to the above modes of divorce there are several other modes of effecting a separation between husband and wife These are

(1) Khula (خُلْعَة) from خَلَعَ to remove to put away send away) is a divorce obtained by the wife at her request on the offer of a compensation to her husband The validity of this divorce rests on the demand (by her) and acceptance (by him) of the fixed compensation (أَجَابَ قَبُولَ الْعَوَضِ) The words used are (خَالَعِي) Release me for such and such a sum Answer (خَلَعْتُكَ) I have released thee for such and such a sum This mode of divorce is also sanctioned by the Qur'ān (Sūra 11 229) The woman so divorced is not entitled to the payment of her dower (Bukhārī 226 Dictionary of Islām 274) The compensation must be fixed.

(2) Mutual discharge or Mubārā (المُبَارَاة) is a divorce effected by a mutual release (الْإِبْرَاءُ مِنَ الْجَانِبَيْنِ) each releasing the other of the rights and duties of marriage by the wife saying (بَارِسِي عَلَى أَلْفِ دِينَارٍ) Release me for a thousand dinars The husband replies I release thee for a thousand dinars (بَارِسْتُكَ عَلَى أَلْفِ دِينَارٍ) or the husband asks to be released from the marriage tie and the wife agrees to it

(3) Zihār (زِهَارٍ) is a divorce effected by the husband likening his wife to the back (ظَهْرٍ) or any other part or member of the body of any of his kinswomen within the prohibited degree e.g. he may say to his wife Thou art to me like the back of my mother (أَنْتِ عَلَيَّ كَظَهْرِ أُمِّي) The intention of the husband decides whether divorce takes place or not If he intended divorce his wife is not lawful to him until he have made expiation (كَفَّارَةً) by freeing a slave or fasting two months or feeding sixty poor men This rests on the command of the Qur'ān To those who put away their wives by saying Be thou to me as my mother's back (Sūra 17 2-4)

(4) Swearing vowing Abstinence (أَيْمَانٌ) is a form of separation in which the husband declares with an oath that he will not have carnal intercourse with his wife for a period not less than four months in the case of a free woman and two months in the case of a slave This also rests on the injunction of the Qur'ān (Sūra 11 226) At the end of the specified time he offers the usual expiation due for an oath and either returns to his wife or divorces her

(5) Mutual cursing Imprecation (لَعْنَانٌ) is a form of divorce which takes place under the following circumstances If a man accuses his wife of adultery and does not prove it by four witnesses he must swear before

God four times that he is the teller of the truth and then adds If I am a liar God curse me. The wife then also says four times I swear before God that my husband lies and then adds May God's anger be upon me if this man be a teller of the truth

أشهد بالله أنه لمن الكاذبين - أشهد بالله أني لمن الصادقين فيما رويها -

لعمد الله على أن كتب من الكاذبين - غلب الله على أن كان من الصادقين

After this, a divorce takes place *exso facto*. This form of divorce also rests on the Qur'án (Súra xxiv 6 10). Such a woman may according to the Hanafi doctrine marry again according to the opinion of the Sháh she is prevented from contracting a marriage again.

Besides these there are other modes of divorce to be mentioned such as

(1) When the husband authorizes his wife either by clear words or in some other way to divorce herself or charges some other person to do it. This may be done either by authorization or by appointing an agent or by writing a letter. The words are Divorce thyself or the matter is in thy hands (أمرى بيدك - أعارنى - طلقى نفسك) to which the wife replies I have divorced myself I have chosen

(أعربت نفسي - طلقى نفسي)

(2) Conditional Divorce (العلقى) is when the husband says to his wife If thou goest out of the house, thou art divorced

(3) Divorce of the sick (طلاق المريض) A sick man may divorce his wife even though he be on his death bed.

The Idda period of probation (العدة) designates the number of days a divorced woman has to wait before she is allowed to marry again. It is a time of probation during which it may be ascertained whether she is pregnant or not and lasts for three months. After this time if it is ascertained that she is not with child she is at liberty to contract another marriage but if not she has to wait till she have given birth to her child. After divorce, the Idda is as before mentioned, three months after the death of her husband, four months and ten days. The observation of these periods of probation is enjoined in the Qur'án (Súras lxy 2-4 h 282). During this time of probation the wife lives in the lodging assigned to her by her husband and has to obey him. She may not leave the house, nor undertake anything without his permission.

Restitution (الرجعة) designates the receiving back of a wife who has been divorced by a revocable divorce. A man may do this if the period of her Idda has not expired. Should he, however, allow the time of her probation fully to elapse he may not take her back unless by means of the Muballá. In case of the legal restitution the husband says to his wife

SLAVERY — Slavery (عبيد - رقيق) existed in Arabia before the rise of Islām. Muhammad did not abolish it, but adopted it as part of his system kept slaves himself, and laid down certain laws and regulations and made slavery a permanent institution of Islam.¹

before the legitimate marriage has been contracted is considered illegitimate and cannot inherit

The guardianship of the child (حضانة) : the right of the mother even if divorced unless she be an apostate or wicked or unworthy to be trusted. According to the Hanafi School she has the custody of her daughter until she has reached the age of puberty. The custody of male children is limited to the seventh year. The mother loses her right of guardianship when she marries a stranger.

A widow has to observe mourning (حجاب) for her dead husband for the period of four months and ten days. During this time she must abstain from wearing any kind of jewelry or ornaments and from using perfume and paint. Except for her husband a married woman may not observe mourning longer than three days and the husband may force her to abstain from it for he has a right to claim that she adorns herself. A definitely divorced woman may not wear her ornaments (some say the revocably divorced wife also) lest by so doing she tempt her husband to have illicit intercourse with her.

Polygamy is undoubtedly an institution sanctioned by Islām and cannot as some liberal minded Muslims pretend be abolished and declared illegal. It is declared legal by Muhammad's example who took to him self eleven wives besides concubines.

¹ A slave is **مملوك - عبد رقيق** a female slave is **أمَة**. The condition of slavery is **رق** **عبيدية** the term generally used in the Qur'an. Any student thoroughly conversant with what the Qur'an and Traditions teach on the subject of slavery will agree that it is incorrect to say that Muhammad disapproved of the institution and considered it as temporary in its nature and that it would ultimately disappear. The orthodox Muslim may be forced to liberate his slaves but he can never be forced to acknowledge the system of slavery as wrong and unlawful, as it is an institution sanctioned by the Prophet and legislated for by him and which, therefore stands and falls with the Qur'an and the religion of Islām. War with unbelievers is enjoined as a permanent duty of Muslims till

there be no other religion on earth but Islām. The captives made in these wars therefore yield a constant supply of slaves male and female. They are the absolute property of the owner with whom he can deal as he likes.

Muslims are permitted to cohabit with any of their female slaves made captives in war (Sūras iv 3 29 xxxiii 49) even if they are married women whose husbands are still alive. They are enjoined to show kindness to slaves (Sura iv 40).

With regard to enslaving captives in war the Imām may either kill the males or enslave them or release them by making them Zimmis. The idolators of Arabia and apostates are however to be killed without choice. If captives embrace Islām they become slaves but must not be killed. If infidels become Muslims on the field of battle, before their capture they are free men but after they are caught they become slaves. Slave traffic is allowed and the slave being the property of his master may like other property be sold and bought.

It is however unlawful for a Muslim to enslave (1) his mother (2) the ascendants on the mother's side (3) the father (4) the ascendants on the father's side (5) the sons (6) the ascendants of the sons (7) the sisters (8) the aunts on the mother's side (9) the uncles on the mother's side (10) the daughters of brothers (11) the daughters of sisters (12) the descendants of the father (13) all persons related by the nurse (بالرَّحْضَةِ). Infidels possessing Muslim slaves may not keep them, but must sell them to Muslims at the current price. The children of a female slave are also the property of her master except those children which she has of him and whom he acknowledges as his who are free. If a female slave is the property of several masters, her children are also joint property of these masters except special agreements have been made. If of a married couple one is free the other a slave, the children born to them are free and are given over to the free one except the master has on marrying them made it a condition that the children of this marriage should be his own property.

The liberation of a slave can be effected in five ways —

(1) Manumission (مَنْعِي أَعْتَاى مَعْرُور) designates the act by which the owner of a slave gives up his right to the same and gives him, of his own free-will immediate and unconditional freedom (أَعْتَادَ الْمَوْلَى حَقَّهُ). This act is binding when it proceeds from a person who is free sane of age, and the actual owner of the slave in question. If such a person say to his slave "Thou art free, I set thee free" and such like expressions, the slave becomes free whether the owner mean emancipation or not. If the liberated female slave be with child her child is also free on her account.

The infidels, who are at war with Muslims become *harbi* as soon as they are made captives and come into possession of the Muslims but not till they have been removed to a land of Islam do they become *Mamluk* (مملوك). Part of a slave may also be liberated (اعلى بعض عبده) on his paying the remainder of his price he becomes quite free. A slave who is the joint property of several masters if one of them liberate his part the others may do the same with their part or demand the payment of their portion from the slave. The liberation of a slave who is a believer is considered a most meritorious act. In certain cases the liberation of a slave is obligatory in expiation of certain sins e.g. for breaking the fast of Ramadán, swearing and not keeping an oath.

(2) Liberation of a slave by means of a writing (كاتب) designates the liberation of a slave by means of a bond of freedom granted to a slave (male or female) in return for a sum of money agreed upon to be paid within a specified time. The owner declares that he has given him such a writ on condition of his paying such and such a sum. The slave having obtained such a writ is called a *Mukatab* until the ransom is fully paid. During the interval between the promise of freedom and the payment of the money the *Mukatab* enjoys a certain freedom but is placed under certain restrictions e.g. he is free to move from place to place but he cannot marry or make a pilgrimage without the permission of his master. As soon as he pays the total sum agreed upon he receives his full liberty. Only a Muslim can be liberated in this way. A *Mukatab* cannot be sold or given away as a present or pawned and if he is unable to pay the sum due it is to be paid from the public treasury. Liberation on condition of the slave's agreeing to the proposal of his master of giving an equivalent (على جعالة على جعالة) is somewhat similar to this mode but differs from it in several points. Here the master proposes to his slave to liberate him on his giving an equivalent money or work for a certain time. If the slave agrees to the master's proposal he obtains his liberty at once before he has fulfilled the conditions for in this case, his liberation does not depend on his fulfilling (على), but on his accepting the condition. The *Mukatab* obtains his liberty only on his having fulfilled the condition.

(3) The liberation of a slave after his master's death is by an arrangement called *tadbir* (مدبر). This *tadbir* is a declaration made by a master to a slave (male or female) that he or she shall be free at his death. This the master does by saying 'Thou art a *mudabbhar* (مدبر) or 'thou art free at my death' (ابعد وفاتي). The slave may then claim his liberty at the death of his master. In case of a female slave the children she has born in the interval are also free. This declaration may be made either in writing or before two witnesses. The owner of the slave is at

OATHS — Acknowledgment (الإقرار) is a legal term for the avowal of the right of another person upon one's self

liberty to take back his promise and thus annul the arrangement at any time. A mudabbhar may neither be sold nor given away as a present nor pawned but he may be hired out and the female slave may be enjoyed by her master or married by force against her will. If a man whose sole property consists in slaves liberates all his slaves by tadbir and his heirs object to this arrangement the third only of every slave is liberated and the remaining two thirds are to be paid by them.

(4) Liberation by Istilād (استيلاء) When a man has a child born to him of a female slave and claims and acknowledges the child as his own this acknowledgment becomes *ipso facto* the cause of the freedom of the female. The freedom is not gained till after his death because she is then included in the portion which the child inherits. The woman becomes a mother of offspring (أم ولد) the child is free from its birth and the right of the master of the *Umm Walad* becomes restricted as he may neither sell her nor give her in marriage to another man. It is the duty of the father to acknowledge (سبغى أن يسهد) the child when born or even before its birth before witnesses lest at his death it may be considered a slave. He declares *حملها وما فى بطنها منى*

(5) Liberation of a slave as an act of expiation (كفارة) Liberation of a slave may also take place as an act of expiation for certain sins and transgressions.

A female slave captive bought or otherwise acquired by a Muslim must not be touched by him till he has ascertained whether she is pregnant or not. For this purpose the master of the female slave takes her to his abode and abstains from intercourse with her for the space of a month in the case of an old woman or a girl under age (صغيرة وأكسدة). He who does not observe this time of probation (استبراء) from *برئ* to be clear free) commits a sin (إثم). This probation is called *استبراء الجارية الاستبراء*. A female slave having a child cannot be sold separately from her child till the child has reached the age of seven years but some doctors are of opinion that the child can be sold away as soon as it has been weaned at the proper time.

Muhammad ordered his followers to treat slaves kindly (Kashf u 108 109 284). Slavery is in the eyes of every Muslim a divinely sanctioned institution and as such cannot be declared illegal or abolished. It stands and falls with Islam.

1 The teaching of the Qur'an on the subject of oaths (ایمان پل میں)

The false oath is of three kinds

(1) The grievous oath (اليمين القموس) from قمس, to plunge because it plunges the swearer deeply into sin) is a false oath sworn with intention (على كاذب عمدًا). A person swears he has not done a certain thing, while he knows he has done it. A Muslim thus intentionally swearing a false oath commits a great sin and must repent. No expiation is required in this case as the sin is considered so grievous that only true repentance can wipe it out.

The Vow (النذر pl النذر) is a solemn declaration by which a person promises to perform a certain act such as fasting or giving of alms or offering a certain sacrifice it may be of a camel, lamb, or sheep. It must be lawful and something in addition to what is incumbent on him. No foolish or unlawful vows are to be redeemed and expiation is to be made for not redeeming them. A legal vow not redeemed by a person before his death is to be fulfilled in his stead by some one else. Muhammad said
 نذر النذر اودع فما سمي

A conditional vow (نذر معلق) is to be redeemed when the condition is found e.g., a man vows to do a thing if he is healed from a disease. Ignorant people often make vows that they will offer money or etc., to Saints (Auliyah), but such vows are foolish and unlawful (باطل و حرام).

THE QADI—Authority and power in Muslim lands belong to the Sultan (Imam). He appoints the Qadi or judge whose office and duty it is to examine law suits

(2) The inconsiderate oath (يمين اللغو) is an oath by which a man affirms what is false but still believes that he is saying the truth (ان حلف كاذباً بغير قصد). It is hoped that God will forgive this sin.

(3) The oath concerning the future (اليمين المتعبد على آت) concerns an incident or transaction which is to come. A man swears that he will do or not do such a thing. If he fails in this, expiation is incumbent on him by which his transgression is wiped out even if it be not combined with repentance. يمين متعبد على آت وليه كفارة ان حلف لعل وهي ترفع

(Ibn Abidin in 50 53) The expiation for a false oath is the freeing of a slave or fasting or feeding ten poor persons, as at one time. It would lead too far to mention all the expressions conditions mental reservations (توريه) dissimulations which according to the teaching of the Muslim doctors make a solemn assertion not a legal oath. Muhammad says "He who in swearing adds to his oath 'If it please God' can never swear a false oath.

brought before his court and to give a decision according to the law (السرعة). He is competent to give a decision on all matters treated of in Fiqh. The word **يُحْكِمُ** means to decree to command. The term **حُكْم** in law designates the decision or decree of the judge in law suits and his making thereby an end to quarrels and strife.¹

(اعطاء حكم سريعاً يصل الحبيب - قطع المنازعات)

1 The chief points (أركان) to be considered are (1) (حكم) sentence of the judge which is given either in words (قوله) such as I decide give sentence (أحكم - قضيت - حُكْم) or in act (فعله) i.e. the carrying out the sentence at once (نفذ الحُكْم). (2) The object of judicial decision (موضوع الحكم), which may be a thing, concerning God exclusively (حق الله تعالى المحض) e.g. adultery, drunkenness or such as concerns man exclusively (حق الله المحض) or such as concern God and man but God in a special manner (حق الله تعالى) e.g. calumny, theft or such as concerns both God and man also but chiefly man e.g. retaliation, chastisement (معامى - عزم). (3) The person in whose favour the sentence is pronounced: المحكوم له the complainant plaintiff is المدعى, the law suit is الدعوى the defendant is عليه المدعى (4) The person against whom the sentence is given is المحكوم عليه (5) The judge (الحاكم) is either the Imam or the Qadi or the Arbitrator (المحكم). (6) The way in which the judge forms his judgment and gives sentence differs according to the object of litigation. It is either by proof or confession, or the oath or clear and undoubtful evidence.

The persons qualified to exercise the office of Judge are Muslims whose testimony is accepted in the court of law (أهلها أهل المهادنة). An unbeliever may not be made judge in Muslim affairs (تقليد الكافر لا يصح) but he may give a decision in matters concerning non Muslims.

A Muslim appointed Qadi by the proper authority may exercise the duties of his office though he be a wicked man (وإن كان جاهلاً أو فاسقاً). As to the Mufti (المفتى) the majority are of opinion that a wicked person cannot exercise this office and that his decision cannot be relied upon (لا يسجل استفتاءه - لا يعتمد على فتواه). The Mufti is a learned

INHERITANCE (علم الميراث - ميراث) —The term ميراث is an abbreviation of علم الميراث or the science of the portions ordered appointed for the heirs by divine command in the Qur'ān. The heir is وارث (pl ورثة) the heritage is ميراث, property left, or heritage is تركه the portion which each of the heirs receives is سهم (pl أسهم سهام). The verses of the Qur'ān upon which the law of inheritance is founded are called آيات الميراث. They are Surah IV 1-12.

Just what a Muslim's legal opinions in difficult questions of law. If the Qādi has been elected to office by means of bribery his decisions are void and he is not to be considered a lawful Qādi. If the Qādi accepts bribery (مفسد) in giving sentence the opinions concerning the validity of the same are divided. If the Qādi at the time of his appointment is a pious man and then becomes wicked the Sultān may depose him.

The right and duty of the imprisonment (حبس) of offenders is believed to be laid down in the Qur'ān (Sūrah 9) and the Sunna. The prisoner is not allowed to have a comfortable bed nor may friends keep him company. His wife may not share the prison with him. It is not lawful to imprison a person on mere suspicion (شبهة) (Dictionary of Islām 205).

1. The property of the deceased Muslim is applicable in the first place to the payment of the funeral expenses, secondly to the discharge of his debts, thirdly to the payment of legacies as far as the third of the residue. The remaining two thirds with so much of the third as is not absorbed by legacies are the patrimony of the heirs. A Muslim is therefore disabled from disposing of more than a third of his property by will.

The residue of the estate after the payment of funeral expenses, debts and legacies descends to the heirs (ورثة) and among these the first are persons for whom the law has provided specific shares or portions and who are therefore called sharers (أصول الورثة). After the sharers have been satisfied any residue remaining is divided among the distant relations (عقب).

During his 'life time a Muslim has absolute power over his property and may dispose of it as he likes. He must, however, deliver the property to the donee in his 'life time. As regards testamentary dispositions in the

EVIDENCE, WITNESS TESTIMONY (شهادة)—Evidence is the statement of the truth for the confirmation of the truth in the office of the Qādi with the special formula **أشهد** I testify. It is the duty of every Muslim to bear testimony when the same is demanded of him (**يجب أدائها بالطلب**) as it is enjoined in the Quran (Sura II 282)

making of donations endowments and legacies the amount so left is limited to one third of the property. The law of inheritance is acknowledged to be an exceedingly difficult branch of study (**ابن كفا دار ١٣١**)

One half (**نصف**) is due to the husband when there are no descendants; the sister when there are no other heirs, the daughter when she is the only child.

One fourth (**الرابع**) is due to the husband surviving with child on the husband and wife when there are no descendants.

One-eighth (**المنى**) is due to the wife surviving with children.

One third (**الثلث**) is due to the wife during the life time of her father-in-law when the husband has left neither children nor other relatives entitled to inherit.

Two thirds (**ثلثان**) are due to two or more daughters when there are no sons.

One-sixth (**الستس**) is due to the father and the mother of their child when the latter has left descendants. (For details see Dictionary of Islam 200-213)

The hindrances (**موانع الإرث**) which prevent a person from having the inheritance which are many, are —

(1) Infidelity. An infidel cannot inherit from a Muslim but a Muslim can inherit from an infidel.

(2) Murder (**قتل**). A man who has wilfully killed another cannot inherit from him. Man slaughter does not however exclude from inheritance.

(3) Slavery (**رق**). A slave cannot inherit from a free man nor a free man from a slave.

(4) Li'an (**لعان**) imprecation separation between husband and wife, prevents mutual inheritance.

(5) Flight, disappearance (**غيبة**)

Person, in order to be able to give evidence which can be legally accepted must have the qualifications of full age sound reason faith good reputation absence of suspicion and partial knowledge of the subject concerning which evidence is required. They may be eye witnesses (ساهد اول) or witnesses from hearsay (ساهد فرع)¹

USURPATION OR TAKING BY FORCE (صب) — This is the taking of the property of another which is valuable without the consent of the proprietor. Usurpation is also exacting service from the slave of another or putting

¹ In cases indicating bodily punishment witnesses are at liberty either to give or withhold their testimony. The concealment of vice is preferable because the Prophet said to a person who had borne testimony: Verily it would have been better for you if thou hadst concealed it. In the case of theft it is a duty to testify that a certain person took such property in order to preserve the right of the proprietor but the word taken (أخذ) ought to be used instead of stolen (سرق) in order to conceal the crime (رعاية للسِر).

The evidence required in case of whoredom (زنا) is that of four men (Sura xxiv 4). The testimony of a woman is not admitted in such a case.

The evidence required in other criminal cases is that of two men that of women is not admitted.

In all other cases the evidence required is that of two men or of one man and two women.

The Imam Shāfiʿi rejects the evidence of woman except in certain cases such as childbirth and female defects, on account of the deficiency of woman's understanding. If two Christians testify that a certain Christian woman has embraced Islām their testimony is valid and she is forced to become a Muslim (نَجَرَ عَلَى الْإِسْلَام). The testimony of Muslim heretics is valid.

As regards retraction of evidence if witnesses retract their testimony prior to the Qādi's having passed sentence by saying: I retract what I have testified (رَجَعْتُ عَمَّا شَهِدْتُ بِهِ), or similar expressions it becomes void if sentence has been already given. It does not become void by such a retraction (لَا يَنْسُخُ الْحُكْمَ). The retraction of the evidence in order to be valid must be made in the presence of the Qādi.

a burden upon the quadruped of another person. The person willingly doing so (العاص), transgressor and is responsible to the person injured (المعاب عنه) for compensation for the thing usurped or injured (المعصوب). But if he has done so unwillingly, thinking the object usurped his own he is not an offender in law but is still liable for a compensation. As soon as a Muslim sees an object, slave, animals house etc. which has been wrongfully appropriated he is to restore it to its rightful proprietor for it is unlawful.

PREFEMPTION (سعة) — This is the right of preference which a partner or co-sharer (شريك) in the possession of a certain object such as a house or landed property enjoys when that object is being sold or his taking possession of it for the same price if it has already been sold to a third party. The person who desires to make use of this right is the advocate (ساع), he must make his claim as soon as he hears of the sale or if he be present before it is concluded, otherwise he loses his right (السعة بعدت الدعاء حراً علي المسري بما وام عليه و شرطها ان يكون المصلح عاقراً). The right does not apply to movable but only immovable property (عقار). Only Muslims enjoy this right.

LOST PROPERTY, TROVES (نقطه لعنة) — This comprises (1) a found child, a foundling, which the person who finds it must take up, and restore it to the parent. If these cannot be found, he must bring it up, but the expenses are paid from the public treasury, (2) property found and taken up for the purpose of preserving it in the manner of a trust.

4. If under ten dirhams must be advertised for some days. If it exceed ten dirhams in value it must be kept at the disposition of its rightful owner for the space of a year.

5. The capture of a runaway slave is considered a praise worthy act and the captor is entitled to a reward of forty dirhams. If the Qadi imprisons the fugitive slave till his owner claims him and proves him to be his property, if no one claims him for a long time the Qadi sells him and keeps the money realized by the sale at the disposal of the owner.

6. If a person who is lost or has disappeared had been married the Qadi appoints an agent. His wife cannot marry again for four years and he cannot be legally declared dead till the period expires when he would have reached the age of ninety. Then only can his property be divided among the heirs.

SLAUGHTER OF ANIMALS (ذَبْح)—It is said that slaying of animals in Islam means the act of slaying an animal agreeably to the prescribed forms without which the flesh is not lawful for the food of man (Bukhari iii 203 *et seqq*). It is of two kinds (1) by choice (أَحَدٌ) or (2) by necessity (مُضْطَرٌّ). The former is slaughtering animals 'in the name of God' with the knife the latter is slaughtering effected by a wound as in shooting birds or animals in which case the words "Bismillah, Allah Akbar" must be said at the time of the discharge of the arrow from the bow or the shot from the gun. The Muslim may eat with Jews and Christians as long as the food is of lawful kind (Sira v 7).

1 The proper mode of slaughtering is to draw the knife across the throat and the windpipe. The carotid arteries and the gullet must be cut through while the words "In the name of God, God is great" are repeated. The proper slaughtering is considered to be effected by the shedding of blood.

FOOD AND DRINK (أَطْعَمَةٌ وَأَشْرَبَةٌ) — Muhammad used to say on this subject 'What God has declared lawful in His book is lawful, and what He has declared unlawful in His book is unlawful, or what He has been silent about is unlawful' (Sūra ii 167) All kind of fish is allowed for food except those which have no scales and resemble snakes Oysters and tortoises are also unlawful The Shafites consider them lawful Quadrupeds such as camels cattle, and sheep are lawful The horse and the donkey are considered as مكروه disliked Dogs swine cats, mice and dead animals may not be eaten Birds of prey are unlawful but pigeons and sparrows are lawful Intoxicating drinks are forbidden For the customs to be observed on eating (آداب الأكل) see Ghazālī ii 2 225 Fermented liquor (خمرة) is unlawful unfermented liquor (سند) is lawful If a man is in danger of dying of hunger any unlawful food becomes licit for him

WASTE LAND — It is the law that all land is either cultivated land (عامرة), or waste land (حراث - حوات) All

(الذبح الاختياري هو ذبح بين الحلق واللبه وعروقه الحلقوم والمري والودجان) وحل بفتح أى ثلاثة منها) It is absolutely necessary that the person who slays should be a Muslim or a Kitābī i.e. a Jew or Christian, not a heathen or Majan, or an apostate (أُمِّيَّة) The term applied to the sacrifice slaughtered on the day of the great festival (يوم النحر) is أُمِّيَّة It is so called because it is slaughtered at the time called أُمِّي or the time of the day when the sun has risen high on the horizon (Bukhārī viii 285) A Muslim is allowed to hunt (الصيد مسلح) with arrows or weapons of iron as spears or better still with trained animals with dogs or panthers or hawks or falcons The sign of a dog's training is his catching game three times without eating it A hawk is considered trained when she attends to the call of her master If the dog eats any part of the game, it is unlawful. Hunting is not allowed on the pilgrim age nor within the limits of the sacred cities of Mecca or Madīna

waste land which is not cultivated either from want of water or some other cause and is at a distance from a town or village may be taken possession of for the object of reclaiming and cultivating it if the Imam gives permission to do so

Regulations concerning the right to water are that a man may in his turn use the water of a river a rivulet or a canal for the purposes of irrigation giving water to animals etc (see Dictionary of Islam, 546 565)

الشرب سرّاً بوجه الانعاع بالماء سعيّاً للرأه والدوات

SALF — A sale in law signifies an exchange of property for property with the mutual consent of the parties (مُدَدَلَة مِىء مِىء عَلَى وَحْدٍ مَحْصُوص) The points to be observed are (1) (المال) the property, which can be taken possession of, and preserved treasured up to the time when it is wanted (المال ما يملكه الطبع - يمكن ادخاره) (2) the seller (المستري) (3) the buyer (المستري) (4) the object of sale (المستري) (5) the equivalent price (المستري) The objects of sale may be divided into (1) things which if they perish, can be replaced by an equal quantity of something of the same kind They are called مِثْلِي, and (2) into things equal in value and quantity called كَمِّي When some thing is sold the object and the price must be mutually delivered at once Offer and acceptance (عرض و ايجاب) are necessary The contracting parties must have the qualifications of full age, sound reason and full liberty For the full possession of the object of sale there must be delivery and reception (تسليم و مَص) The object of sale must be lawful (مباح), the description and specification of the object of sale must be clear (وصف) the

statement of price, definite (مسمى) and the possibility of realizing a gain by such a sale or purchase must be evident. Treasuring up wheat barley in order to raise the price is unlawful¹

¹ At the sale of domestic animals and slaves the purchaser has the right to annul the agreement for three days. This privilege is called the Option (الخيار). A female slave cannot be delivered to the purchaser before she has had her menstruation. Should this not appear a time of probation of forty days must be observed in order to ascertain whether she is pregnant or not. If the purchaser is doubtful he may himself subject her to this probation but may not have any carnal intercourse with her during the forty days, otherwise he is subject to the punishment of atonement. If a Muslim purchases a female slave who is pregnant it is best for him not to cohabit with her till she has been delivered of her child otherwise the child she bears will be considered as his own and entitled to inherit and its mother will become (ام ولد) the mother of offspring. Male or female slave may be bought by partners who equally share the right of their services. If one of the partners cohabits with such a female slave and she brings forth a child he has to take her over as his property and to pay his co-partners their share of the value of the slave. It is unlawful to sell young infidel slaves to non-Muslims as their conversion to Islam may be hoped for. The Qur'an prescribes the presence and testimony of witnesses on the occasion of sales (Sura : 292).

Such an agreement of sale can only be dissolved with the mutual consent of the contracting parties. It can however be dissolved under the following circumstances when there is

- (1) Option of place (خيار المجلس) when the contracting parties have not yet left the place of agreement.
- (2) Option of previous condition (خيار السرط) when the option of dissolving the contracts within a specified time has previously been agreed to.
- (3) Option of fraud (خيار الغش) when the purchaser discovers that the seller has deceived him.
- (4) Option of delay (خيار التأخير) when the object of sale has not been delivered by the seller or the price paid by the purchaser at the proper time.
- (5) Option of appearance (خيار الروية) if the object of sale on being delivered, has a different appearance or different qualities from what it had at the time of the sale.

USURY (رباً) is unlawful (الربا شرعاً فصل حاله عن عوض) The profit (فصل) or excess, which is considered usury is

(6) Option of defect (عيار العيب) when defects are discovered which were not evident at the time of the sale When of two slaves purchased one dies before their delivery the purchaser has the choice of either annulling the agreement or of letting it stand in which case however he has to pay the price of both slaves

Cancelling (إقاله) is the term for the dissolution of the sale If one of the contracting parties wishes to annul a sale he says Release me and the other says I have released thee (أَمْنِي أَمْلَكَ)

There are many different kinds of sale Of these the following may be mentioned

(1) Selling for a profit (المربحة) when the seller distinctly states that he purchased it for so much and sells it for so much

(بيع ماملكه بما قام عليه و بفصل)

(2) Selling at the original price (التولية الأول ببعده بضمنه الأول)

(3) Sale of things for things or barter (مقايضة)

(4) Sarf (صرف) a special kind of sale or exchange a change of money or of silver for gold (ويستلزم عدم الحاجل والخييار)

(5) Sale by advance (سلم) when the price is immediately advanced for goods to be delivered at a future fixed time

(6) Loan (قرض) a transaction in which a man borrows certain things money or other things and engages himself to return an equal quantity of things of the same kind without any definite understanding as to the time of the repayment

(القرض عقد مخصوص يرد على دمج مالي مسلمي لا غير ليرد مثله)

(7) Pledge (رهن) is an operation by which a person delivers as a kind of pledge or mortgage to another person certain movable or immovable objects valued at a certain specified price on condition that if he returns the sum lent at the assigned term the pledge is returned to him if not it remains the property of the lender on condition however, of his paying the borrower the difference between the value of the pledge and the sum lent to him. This operation is also called the pledge to be returned (بيع الأمانة) or sale of trust deposit (رهن المعاد)

that demanded by one of the parties in a sale of homogeneous articles, estimated by weight or measurement as an obligatory condition, without his giving any equivalent for it in return. For example the sale of two loads of barley in exchange for one load of wheat does not constitute usury since the articles are not homogeneous, and the sale of ten yards of cloth for five yards of cloth is not usury since they are not estimable by weight or measurement of capacity (كَيْلًا وَوَرًّا). The Qur'ân strongly forbids usury (Sûra ii 276 see Dictionary of Islâm, 656)

Sale may be either fully valid, (بَيْعٌ لَّامٍ) or, it may be suspended (بَيْعٌ مَوْقُوفٌ) or invalid (بَيْعٌ بَاطِلٌ)

DEBT ADVANCE (سَلَفٌ - سَلَمٌ - دَيْنٌ).—Debts are of two kinds (1) money or other articles of value delivered to a person on condition that he pay back after a specified time articles of the same value or quantity, without any compensation or interest (2) سَلَفٌ - سَلَمٌ, an advance of money or articles of a certain value delivered to a person, on condition that after a specified time he give in return for the same certain specified articles, implying a certain profit in addition to what had been advanced to him. The lender is called الْمُعْرِضُ the borrower is known as الْمُسْتَعْرِضُ

LOAN (عَارِيَةٌ).—This is an agreement by which the owner of a certain object delivers the same over to a person to make use of and profit by it, without any payment or compensation, on condition of his returning it in good condition when it is claimed back (العَارِيَةُ تَمْلِكُ الْمَنَافِعَ مَتَّاعًا). The person who makes the loan is the مُعِيرٌ, he who receives the loan is the مُسْتَعِيرٌ, the object loaned is الْمُسْتَعَارُ

DEPOSIT (ادّاع - ودیعه) — This is an agreement by which a thing is entrusted to the care of another with the injunction to carefully preserve it in good condition (الادّاع بسلیط العنر علی حفظ ماله صریحاً أو دلالاً)

The object deposited is called **ودیعه**, the proprietor of the deposit is **مُودِع**, the person entrusted with the deposit is the **مُسْتَوْدِع** - **مُودِع** - **مُسْتَوْدِع**

When the deposit is seriously damaged or destroyed the trustee is only held responsible for it in case of excessive negligence (تقریط), or transgression of the authority given him by the depositor (معدّي)

HIRE LEASE RENTAL WAGES (احارة) — This is an agreement by which the owner of a certain object gives it over to a person for a specified time to use and profit by it or by which a person promises to render certain services to another for which the person who makes use of the hired object, or to whom services are rendered, makes a certain payment (الاحارة تمایل دفع بعوض) The hirer is **مُستأجر**, the renter, tenant lessee is **مُستأجر**, the servant or hireling is **احدر**; the rent or wages is **أجرة**

PARTNERSHIP (مشاركة) — This is an agreement by which two or more persons unite in one concern, or business (الشركة هي عبارة عن عدد من المتشاركين في العمل والربح) The partners put together capital with the object of sharing in the profit, in proportion to the capital contributed The jurists also mention various kinds of partnership¹

¹ (1) social contract (2) partnership of people of the same profession sharing the profit of their joint work (3) a person of reputation and credit associating with a person

COMMISSION OR PARTNERSHIP (مُشَارَكَة)—is an agreement by which a person delivers a capital or stock to another who is to traffic with the same, and the profit is to be divided according to agreement. The partner who gives the capital is the **صاحب المال** or **رأس المال**, the one who traffics with it is the **مُدارِب** or manager (المُدَارِب، نه هي عدد شركته في الربح بمال من صاحب بل من جانب)

FARMING OUT LAND (مُتَّاعَة - مُعَاوَرَة - مُزَارَعَة)—Land may be given into the charge of another on condition that a fixed proportion of its produce is transferred to the owner. He who farms out is the **صاحب أرض**, the farmer is the **زارع**, the land farmed out is **مُزَارَعَة**. The owner of the land has, however, to pay the land tax (الخراج)

WATERING A GARDEN (مُتَّاعَة)—The owner of a garden, vineyard or plantation, containing fruit trees, may deliver over the same to a person for a specified time to care for it, on condition that the produce be divided between them in the proportion of one half one third or the like, as may be stipulated.

RACING AND SHOOTING (سَبَق وَرَوَايَة)—The free consent of those who take part in the competition and fix the rewards is necessary. Horses, camels, elephants, donkeys, and mules may be used in these competitions.

AGENCY ATTORNEYSHIP (وَكَاة)—This is an agreement by which a person appoints another person to be his agent

of no credit with the object of equally sharing the profit of an undertaking; (4) **شَرِكَة مُعَاوَرَة**, when each partner promises to divide the profit of his particular undertaking with his partners.

in the conducting of business, sale collecting debts or in executing certain orders in his stead and as his substitute. The agent is a **وكيل**, the person appointing him is the **الموكل**, an agent with limited authority is a **وكيل خاص**, with general authority a **وكيل عام**.

PLEDGING PAWNING (رهى)—This designates the detention of a thing as a sign and surety of a claim or a debt. The Qur'an says 'Let pledges be taken' (Sura 11 193). The person who gives the pledge is **الراهى**, the receiver of the pledge, or pawn is **المرهى**, the object pawned is **الرهى** و **سرهى**.

(الرهى حسن مالى يعنى يمكن استدعاء منه كالدنى)

STRETISHII SECURITY BAIL (صامى)—These are in Muslim law of three different kinds

(1) **صامى** by which a person becoming a surety and promises to pay the creditor the debt of a third person in case the latter should not pay it himself at the specified time. The surety is **الصامى**, the debtor is **المضمون عليه**, the creditor is **المضمون عنه**.

(2) **حواله** is an agreement by which a debt is removed from the original debtor to another person, who thereby becomes alone responsible to the creditor for the payment of the debt. The drawing of bills of exchange (**بولصة**, **سفتجة**) is said to be blamable.

(3) **كفالة** is an agreement by which a person becomes surety for the payment of debts or for the property or for the debtor. There are two kinds of such **kafala**, that is, (1) security for the person, engagement to find and produce the debtor, should he abscond or flee **كفالة حصر**.

and كعالة النفس (2) security for property or the payment of the debt is كعالة المال - كعالة الصالح
 (الكعالة هي ضم دمه الكعيل دمة الاصل في المطالبة مطلقاً)
 الكعيل the person who is surety is النفس او بدنى او عين
 the person for whom one is surety is المكفول عنه
 the object of security is المكفول به

DONATION, GIFT (الهبة)—This is an agreement by which a person gives property of his own to another person to become his sole and entire property, without compensation (بلا عوض) The donor is الواهب; the receiver of the gift is الموهوب له, the gift is الهبة The donation must be made in the presence of witnesses The retraction of a gift (الرجوع ب الهبة) is not unlawful but a blamable action which is to be avoided

WILL BEQUESTS (وصايا - وصية)—These are means by which the testator (الموصي له) leaves to a legatee (الموصي له) money or property to be delivered up after his death The person appointed to carry out the will is called the وصي or executor Guardianship (ولاية - الولى) naturally belongs to the father or grandfather of the deceased When there is neither a guardian, nor executor appointed by will a Qayyam (قائم) is appointed by law to act as guardian The will should be executed in writing and is to be certified by two male witnesses, or by one male and two females Bequests are lawful and valid to the extent of one third of the testator's property A will may be altered by the testator

PROXIMITY, KIN, FRIENDSHIP (ولاء)—This designates in Law a peculiar relationship, voluntarily established,

and which confers the right of inheritance on one or both parties connected. It is of two kinds

(1) **عِلَاقَةُ الْمَلَاةِ**, or relationship between a master and a manumitted slave in which the former inherits any property the latter may acquire after his emancipation

(2) **عِلَاقَةُ الْمَوْلَاةِ**, or relation arising out of mutual friendship especially between a Muslim and a convert to Islām

COMPULSION (إِكْرَاهٌ).—This designates an unlawful action which a Muslim commits under unjust compulsion. There is the absolute compulsion (**بَاطِلٌ**) when he is forced to commit such an unlawful act by him who has power over his life, and the relative compulsion (**نَاقِصٌ**) when the danger of resisting is less imminent

ENDOWMENT RELIGIOUS FOUNDATION (وَقْفٌ).—Endowment, or **Wakf** designates appropriation or dedication of property to charitable and pious uses and to the service of God. The object of such an endowment must be of a perpetual nature and such property or land cannot be sold or transferred or pawned (**لَا يَمْلِكُ وَلَا يَمْلِكُ وَلَا يَبْعُ وَلَا يَرْتَهِنُ**). The person who dedicates such a thing must expressly declare it by such words as 'I dedicate it as alms for ever for the benefit of the poor or for the cause of God'. The person who dedicates is **المَوْقِفُ**, the object dedicated is **مَوْقُوفٌ**, the person or object for whose benefit the endowment is made is **مَوْقُوفٌ عَلَيْهِ**.

Such an endowment may be made for the benefit of particular persons, e.g., children, or for the public in general. It must be separated from private property, and it must be expressly declared to be perpetual in character.

A female slave who is made "**Wakf**" can only be married to a slave, so that she and her offspring may remain slaves and be a profit to their owner.

COMPROMISE OR RECONCILIATION (مُصَلِّح) — This is an understanding come to with the object of terminating a litigation (الصلح هو عقد ربح الدراع ونقطع الخصومة) The mediator is المصلح, the claimant is المصالح, the respondent is المصالح له, the object of litigation is المصالح عنه

Muhammad said "Reconciliation is more meritorious than prayer and fasting In order to bring about a reconciliation between husband and wife it is said to be lawful to tell an untruth (Sura iv 127 128)

EXCLUSION (بإخراج) — This designates an arrangement by which the heirs-at-law exclude a person who has a share in the inheritance, by giving him an object or money which he accepts as his share

BANKRUPTCY (إفلاس) — In Law this designates the state of a person who is not only unable to pay his debts but lacks the necessary means for supplying his own pressing wants The bankrupt person is المفلس When the Qādi has duly ascertained that the property of the bankrupt is not sufficient to pay his debts he declares him insolvent, and places his property under sequestration The Qādi then distributes it to the debtors, and after that the bankrupt person has no more obligations to his debtors and has full liberty of action

INHIBITION INTERDICTION, SEQUESTRATION (عجز) — These are terms which designate an order to prevent a person from disposing of his property¹

¹ The causes of inhibition are three infancy, insanity and servitude (عجز رفق - جنون) The acts of a child who has not reached the stage of puberty, are not legal unless they are sanctioned by his guardian. A boy or girl are of age if the signs of puberty appear on them otherwise fifteen years is admitted as the age of puberty of both; some allow

We now come to the third part of Fiqh which deals with punishments

PUNISHMENT (عقوبات) — Punishments inflicted according to the Muslim law for various crimes and offences are (1) حد (pl حدود) that is punishments for certain crimes fixed by the law of the Qur'án or Traditions (2) تعزير or chastisement for offences not fixed by the law but left to the option and discretion of the Imam (3) قصاص or Retaliation

حد is from عذب to follow, because the punishment follows the transgression حد (حدود الله) in its primitive sense means prevention hindrance impediment limit boundary¹ In Law it means the punishment appointed by the Law of the Qur'án or the Traditions for certain crimes and transgressions The Haddú are the limits which man is not to transgress, and for the transgression of which he will be punished No intercession ought to be made and is of no avail when once the case has come before the Qádi Before this time intercession may be made and the punishment be cancelled The guilt, however remains and it is only repentance which can remove it

(انس الحد مظهرًا بل المطر النوره و اذا حد ولم ينسب نفي عليه
 اسم المصيبة)

Some are of opinion that the punishment removes the guilt If a man commits a sin such as drunkenness, or

twelve for the boy and nine for the girl مأمون is a legal term to designate a licensed or privileged slave who has received remission of the inhibition which prevented his buying and selling

¹ The transgressions which are punished by Hadd punishments are— (1) adultery, (2) fornication, (3) false accusation of a married person of adultery, (4) apostasy (5) drinking wine, (6) theft (7) highway robbery.

adultery which deserves the punishment of Hadd, and repents of it sincerely before it is reported to the Qādi it is praiseworthy not to inform the Qādi of it for the 'concealing of such acts is a laudable thing

As regards the crimes which are to be punished by the infliction of the Hadd it is laid down as follows

(1) Adultery —Only that kind of adultery is punishable which an adult Muslim of sound reason commits of his own free will with a woman who is not his own in the land of Islām (Darul Islām). In the land of the enemy (Darul Harb) it is not punishable by Hadd. Adultery is to be proved either by the confession of the transgressor or by witnesses. If by witnesses it is necessary that four witnesses testify at one and the same time before the Qādi that they have seen N N commit adultery with N N and explain how and when and where and with whom. For a confession by confession it is necessary that, on being asked four times the person persists in his confession and no one contradicts his statement. Should he before the punishment is inflicted retract his confession by saying 'By God I have not pleaded guilty' he is to be considered innocent, and must be released immediately. The same applies to other crimes also such as theft and drunkenness. It is considered desuabable to suggest to a man accused of adultery that he should say that he has done it by mistake or that he has only kissed or touched the woman in which case he escapes punishment. If he should pretend that the woman with whom he had illicit intercourse is his wife, even if this is not true (and no proof is required of him) or if he buys or ransoms her afterwards he is not to be punished. A married man (مُتَزَوِّجٌ from زَوْج) to be fortified, protected by marriage from unlawful intercourse), who commits adultery is to be stoned in a public place till he dies. The married woman (مُتَزَوِّجَةٌ) is to be stoned, standing in a hole dug in the earth up to the waist. The witnesses on whose evidence the adulterer is stoned must begin to throw stones at him, then the Qādi and the people standing there in rows, also cast stones. After death the burial takes place as in the case of other Muslims. An unmarried man (عَبْدُ الْحَرِّ) who commits adultery is not stoned, but punished by the infliction of one hundred stripes (أَلْفٌ سَلَامٌ), if he be free fifty if he is a slave.

(2) Fornication —Four witnesses are required to prove fornication (Sura xxiv 25). In the beginning of Islām women found guilty of fornication or adultery were to be imprisoned till they died (Sura iv 10). The man must suffer the punishment standing upright, the woman sitting.

DRUNKENNESS (الشرب)—The drinking of wine under which all sorts of strong and inebriating liquors are comprehended, is strictly forbidden in the Qur'an (Suras ii 216 & 92, 93) The drinking of wine (سرب الخمر) if it be but a single drop and drunkenness (سكر) are both unlawful. In the beginning of Islam wine was not prohibited, the Companions used to take it. If a Muslim drinks wine and two witnesses testify to his having done so stating

If there are any doubts they must be mentioned and the transgressor allowed the benefit of them. Muhammad himself said: "Undeavour to prevent the execution of punishments by suggesting doubts whenever you can do so." For unnatural crimes with beasts (وطاء بهيمة) the punishment whether of a man or a woman is not hadd but زجر and is left to the judgment of the Qādi. The beast is to be killed and burned.

For pederasty (وطاء ذر) the punishment is also زجر which is left to the judgment of the Qādi.

Onanism (الاستمنا)—This is considered unlawful. Some doctors say it may be excused under certain circumstances and may even become a duty if practised in order to escape from the sin of fornication.

Sodomy (الم)—This is to be punished. The question whether it will be allowed and practised in Paradise is one which has been seriously discussed by learned dogmatists some affirming others denying it. Certain dogmatists maintain that he who practises it being of opinion that it is not unlawful does not thereby become an infidel. Unnatural intercourse of women with each other (السحاق) is to be punished by one hundred stripes.

(8) **False accusation of a married person of adultery or fornication (الافتراء)**—When this is made against a virtuous married man or woman and cannot be proved by four trustworthy witnesses, he who thus brings a false charge receives eighty lashes (Sura xli 4). To accuse married people of adultery is considered one of the great sins. To accuse unmarried persons of this sin is considered as only one of the little sins. This sin, not being considered as grievous as adultery or fornication or drunkenness, the stripes are not to be applied to the naked body. The culprit is allowed to keep on his underclothing.

how and when and where or if his breath smell of wine or if he confesses, or is found in a state of intoxication his punishment is eighty stripes if a free man forty if a slave. The proof of a man's being drunk is his being unable to distinguish between heaven and earth a man and a woman or if he be confused in his speech. The use of opium and hashish is unlawful (حرمة استعمال الخمر والخبيثات والأندوس)

THEFT (سُرقة)—Theft according to Muslim law is the taking away of the property of another in a secret way (خفية) at a time when such property was in safe custody (حور). Secrecy is necessary to constitute theft, for public robbery or open plunder is not theft. Custody (حور) is of two kinds (1) place i.e. house or shop and (2) by personal guard i.e. by means of a personal watch over the property. If a Muslim adult of sound understanding steals out of undoubted custody ten dirhems or property to the value of ten dirhems his punishment is the cutting off of his hand (فصل في اليد Sura v 42). The punishment is the same for a free man and a slave.¹

¹ The theft must be proved by the testimony of two reliable witnesses who are to explain the manner time and place of the theft. The thief must be held in confinement on suspicion till the witnesses are fully examined. If the owner of the stolen property should declare even after the thief's confession and the pronouncing of the sentence by the Qadi that he had given the stolen property to him the thief is set at liberty. It is desirable to exhort him not to make any confession. If a party commit a theft and each receive ten dirhems the hand of each is to be cut off. For less than ten dirhems, or objects which were not in custody the punishment is not inflicted. If thieves make a hole in the wall and one of them inside put objects through this hole into the hands of others who are outside this cannot be considered theft, nor can a man be punished for theft if after having made a hole in the wall he enters the room and places the object he intends to take into the hole then comes out and carries them away from outside.

HIGHWAY ROBBERY (طع الطريق) — This is considered a very heinous offence, the punishment of which has been thus fixed by the Qur'ân (Sura v 37) 'The recompense of those who war against God and His apostle and go about to enact violence in the earth is that they be slain or crucified or have their alternate hands and feet cut off or be banished from the land.'

CHASTISEMENT, TAZÎR (تعزير) — This designates in Muslim law the infliction of a punishment for an offence for which no special punishment has been fixed in the Qur'ân

Highway robbers are of four kinds (1) those who are seized before they have robbed or murdered any person or put any person in fear their punishment is to be imprisoned till they repent or die (2) those who have robbed but have not murdered these have their right hand and left foot struck off (3) those who have committed murder but have not robbed these are punished with death (4) those who have committed both robbery and murder their punishment may be of six different kinds at the option of the Imâm. He may cut off hand and foot or have them then put to death by the sword or crucified, or kill them at once. The same punishment is inflicted on freemen and slaves men and women (Dictionary of Islâm 174)

The right hand is to be cut off at the joint of the wrist and the stump afterwards crucified (تعلق يمين السارق من رتد و يمين). For the second theft the left foot is cut off and for any theft beyond that he must suffer imprisonment till he show signs of sincere repentance. Besides suffering the punishment the thief has to restore the stolen object (Dictionary of Islâm 234)

If the man accused of theft maintains—no proof is required of him—that the stolen object is his property or that he has received and accepted it as a present (هبة), or mentions a circumstance which makes it doubtful whether the punishment ought to be inflicted, the sentence (حد) cannot be carried out.

The punishment cannot be carried out if a man steals from the public treasury, because everything there is the common property of all Muslims in which the thief as a member of the community has a share.

or the Traditions and which may at the option of the Imám, be punished in some other way¹

CRIMES OFFENCES, AND TRANSGRESSIONS جنايات

These designate in Law certain acts committed to the detriment of either property or life or members of the body. In acts detrimental to property are included highway robbery theft, etc. and in acts detrimental to life and members of the body murder, manslaughter, injuring or destroying members of the body such as hand or eyes²

¹ عزر means to censure to reprimand to chastise. If the punishment decreed by the Imám is to consist in stripes, it may be three to thirty nine stripes سبعة which may be severe as they are limited.

The Qur'an allows husbands to chastise their wives for the purpose of correction and amendment (Súra iv 38)

Chastisement is inflicted on a person who abuses a Muslim by calling him a fornicator an infidel a thief a Jew a Christian, etc.

If the Imám inflict either the Hadd punishment or merely Tazir on a person and the same should die in consequence of such punishment his blood is lost (هدر) i.e. it is not to be avenged and nothing in the shape of a fine is due upon it (من حد أو عزر فهلك له ماله هدر) it is homicide by misadventure. It is different from the case of a husband who inflicts chastisement on his wife and in so doing kills her. A husband who beats his wife cruelly is chastised for it.

If a woman apostatises from Islám in order to be separated from her husband she is forced to return to Islám and receives seventy five stripes and may not marry another husband.

Various kinds and degrees of punishments and fines are inflicted for these offences v: (1) Retaliation, Revenge, (نود قصاص) (2) Price of blood (دية) (3) Expiation (كفارة) (4) Loss of inheritance (حرمان الإرث).

² Acts detrimental to life are

(1) Wilful murder (قتل العمد) — Every act of wilful murder of a person whose blood is under continual protection Muslim or Zimmi subjects the person who commits the crime to the fine of Qisas (قصاص), which consists in doing to the person who has committed the crime the very same thing he has done to another (أن يفعل بالفاعل مثل ما فعل) i.e. shedding of blood for shedding of blood,

hand 'or hand tooth for tooth The murderer deserves hell (Sūra ii 94-95) and his punishment is the jus talionis according to Sūra ii 178

A free man to be slain for a free man a slave for a slave a woman for a woman A father however is not to be slain for the murder of his child but the child is to be slain for the murder of his parent A master is not to be slain for his slave Retaliation is to be executed by the next of kin with some metal weapon or sharp instrument capable of inflicting a mortal wound The heir or the next of kin to the murdered person is at liberty to forgive or to compound the offence

(2) Manslaughter (قتل عبثاً) which is similar to wilful murder (قتل عمداً) Killing with a rod or stick is only manslaughter as a rod and stick are not mortal weapons The fine for manslaughter is expiation and blood money and the manslayer is excluded from inheriting the property of the slain (سورة الام والكافرة ودية مغتال)

(3) Homicide by misadventure (قتل الخطأ)

(4) Homicide similar to the above (ما جرى مثل الخطأ) for example if a man in his sleep falls upon another and kills him

(5) Homicide by intermediate cause (قتل بسبب) e.g. when a man digs a ditch and sets up a stone and another falls into the ditch and the stone kills him

The punishment of retaliation is inflicted for the murder of every person whose blood is perpetually (not temporarily only) protected that is the Muslim and the fully protected Zimmi not the temporarily protected or the enemy on condition of the slayer being a fully responsible person and there being no doubt but if a thief enters a house, and the owner of the house runs after him and kills him he is not subject to retaliation nor is he who kills an outlaw a robber a drunkard, subject to it either If a person deserving death takes refuge in a sanctuary he is not to be killed there but no food is to be supplied to him, and when he comes out of the sanctuary he is to be killed

Retaliation for acts of less vital importance القود فيما دون النفس is to be observed as much as circumstances allow that is, hand for hand foot for foot If a member which is to be cut off in retaliation be defective a compensation (أرض) may be accepted

Retaliation may be commuted for a sum of money (دية) The term أرض used commonly for the fine inflicted for injury or destruction of part of the body, is sometimes also used as synonymous to دية Where compensation is offered it is desirable to accept it The sum paid for the murdered person is a matter to be settled between the parties. The fine

due for manslaughter consists of one hundred female camels to be delivered in the course of three years or ten thousand dirhem (silver) or one thousand dinars (gold). If camels are required it is called the heavy fine **الدية المشقة**.

The Expiation (**الكفارة**) due for manslaughter and homicide is the liberation of a believing slave by which it differs from expiation due in other cases. If the slayer be unable to do this he may fast two consecutive months. The price of blood for a woman is half of that due for a man.

Swearing an oath with regard to a murdered person is done when the body of a dead man on whom wounds are seen which indicate his having been killed is found and his near relatives suspect the people of the place of having killed him and they deny it. Then fifty of them have to swear an oath by God that they have neither killed him nor have any knowledge concerning the person who killed him. If the prosecutor has strong proofs that the people of the place have killed him or know the murderer he has to swear an oath to that effect. If the corpse be found between two villages the nearest is responsible.

The legal term used to designate the price of blood is **معلقة**. It is so called because it is intended to prevent the shedding of blood. The term **عائلة** designates the assembly of the relatives or in certain cases the corporation or guild who are responsible for the payment of the price of blood or any other fines.

العائلة هي أهل الدفوان فيجب عليهم كل دية وجب بغس القتل

Compensation may be given for inflicting wounds on the head and face. These wounds may be of different kinds: mere scratches or such as cause the blood to come in drops but not to flow, or a scratch which causes the blood to flow freely, or a cut through the skin merely, or a wound which lays bare the bone, or a fracture of the skull, or a fracture which causes the removal of part of the skull, or a wound extending to the brain. No retaliation is due for such wounds, but various fines are inflicted. A Muslim is not to be killed for an unbeliever.

up and discussed, and differences multiplied till at last the Muslim nation became divided into seventy three sects (Sharastání 1 4) The chief subjects on which these sects differed from the orthodox school and among themselves are the following

(1) The Attributes of God and His unity (العقيدة الأولى) صفات ربنا وحدنا وما يحب لله تعالى ربه يجوز عنه ما يستحيل ربه يستحيل على مسائل الصفات الأربعة - صفات الذات و صفات الفعل

On these points differences of opinion existed between the Ash'ariyya the Mujassima and the Mu tazila

(2) Predestination and God's Justice (العقد الثاني) العقيدة الثانية العقد العدل وهي تستعمل على مسائل القضاء والقدر - والقدر الكسب - أرادة الحيوان والسر المعدر والمعلوم - Differences of opinion on these points existed between the Qadariyya, the Nejariyya the Zabariyya, the Ash'ariyya and the Karramiyya

(3) God's Promises and Threats (العقد الثالث) العقيدة الثالثة الوعد والوعيد والاسماء والأحكام - وهي تستعمل على مسائل الإيمان والنبوة والوعيد والإرجاء والكفيرة والصلوات

(4) Revelation Reason, the Apostleship and the Imám (العقد الرابع) العقيدة الرابعة الوحي والرسالة والإمامة وهي تستعمل على مسائل المحسن والمعتصم والصلح والإصلاح واللفظ والعصمة في النبوة وشروط الإمامة 4 Sharastání 1

Ibn Ahmadu'l Ijī (ليحي) the author of Sharhu'l Mawaqif, divides the Muslim sects into eight classes

(1) The Mu tazila, (2) the Shí'ah, (3) the Khawárij, (4) the Murjía, (5) the Nijariyya, (6) the Zabariyya, (7) the Mushabbiha, (8) the Nájia (the saved)

1 THE MU TAZILA (المعتزلة) were the followers of Wásil bin 'Ata (واصل بن عطاء), who was born at Madina A H 80. The circumstances of his becoming the founder of this sect are thus related. Hasanul Basri a famous divine was one day seated in a mosque at Basra when a discussion arose on the question whether a believer who committed a mortal sin became thereby an unbeliever. The Khawarij affirmed that it was so while the orthodox denied it. On being asked to give a decision on this question Hasanul Basri began to revolve the matter in his mind but before he had time to give an answer Wasil one of his followers rose up and said I maintain that a Muslim who has committed a mortal sin should be regarded neither as a believer nor an unbeliever but as occupying a middle station between the two (ان مرتكب الكبيرة ليس بمؤمن ولا كافر يجب له الصلوة بين المبرئين). He then retired to another part of the Mosque where he was joined by a number of his friends to whom he explained his opinion on the subject. Thereupon Hasanul Basri said Wasil has now separated from us (اعدل عما راصل) and they were then called Mu tazila or Separatists and Seceders. They were emphatically the liberal party, and the freethinkers or rationalists of Islam (Shahastani 1 29). They are also known as the Qadariyya (القدرية) because they ascribed the actions of men to their own power (لا سداد لهم افعال العباد الي قدرهم) and denied their being decreed by God (تذكرون القدرية), and also as the Men of justice and of the Unity of God (اصحاب العدل، الموحدين). As they denied the existence of eternal attributes in God they were also called the deprivers, the Mu attila (المعطلة) Shahastani 1 29 31,

Sale 113) The Mutazites are subdivided into twenty subdivisions holding the general opinions of the sect but separating on various points. The curious will find a list of these various sects together with a description of their peculiar tenets in *Shahrestani Mawaqif* 620 *et seqq* and a summary of the same in Sale's Preliminary Discourse.

1 THE SHI'AH SECT *الشيعة*—This name comes from *سبع* from *سبع* to follow to conform with to obey and means party partisans followers because they are the followers of Ali, the cousin of Muhammad and husband of his only daughter Fátima. He is considered to be the lawful Khalif and Imam after Muhammad. It is also held that the Imamate belonged by divine declaration and the command of the prophet (*نصاً و وسمته*) to him and his descendants (Ibn Khaldun : 164 *et seqq*). The Shi'ahs are divided into twenty two divisions each declaring the others to be infidels. The chief subdivisions are (1) the Ghahia (*الغلاة*) that is *الغلاة* or zealots, fanatics (from *ل* to exceed the bounds to over do exaggerate) (2) the Zaidiyya and (3) the Imámiyya. The Ghahia exceeded all bounds in their veneration for their Imáms and raised them above created beings and attributed divine properties to some of them. Sometimes they made them like God and sometimes made God like man. *حكمهم بالحكم الإلهي في حق بعض الأئمة أمّا أنهم بسرا تصفوا بصفات الألوهية أو أن الإله حل في ذاته السرية و هو القول بالحلول* (Ibn Khaldun : 165).

“These ideas, says Shahrestani, they borrowed partly from those who believe in metempsychosis (*المتناسخ*) and partly from Jews and from Christians. The Persians and many of the Muslims of India are Shi'ahs.

For a list of the Shīah sects and their special tenets see Shahrastānī: 132 *et seqq* Mawaqif 624 *et seqq*

3 THE KHAWARIJ (الحوارج)—They are termed the rebels revolters. Every one who rebels against the Imam lawfully appointed by the Muslim nation is called a Khawarij whether it be in the days of the Companions against the first Khalifs the rightly directed Imams (الائمة الراشدین) or at a later period

The first who were called Khawarij were 12 000 men who revolted from Ali after they had fought under him at the battle of Siffin, and took offence at his submitting the decision of his right to the Khalifate to the arbitration of men when in their opinion it ought to have been submitted to the judgment of God. There are twenty more or less important sub-divisions of this sect (Shahrastānī: 85 Mawaqif 629 631 Dictionary of Islām 270)

4 THE MURIA مَرْحِيَّة or المرحلة—The word رَحَاء has two meanings (1) رَاحٍ to delay, put off postpone (2) to cause to hope to give occasion to hope. Some, therefore say that this sect is called مَرْحِيَّة from رَحَاء to postpone defer delay, because the subordinate works to intention, i.e. esteem works to be inferior to intention (تقوى) and profession of the faith (يُرحلون العمل عن الله وسى الاعتقاد); others again say that they are so called because they hold that the judgment of the believer who has committed mortal sin will be deferred till the resurrection others again think that they are so called from رَحَاء (to hope) because they allow hope by asserting that disobedience joined with faith hurteth not (لا يضر مع الإيمان معصية) Shahrastānī: 103 Mawaqif 631 Sale 122 Dictionary of Islām 421) This sect is divided into five sub divisions

5 THE MUJARRIYA (المجارية) — These are the followers of Muhammad bin al Husayn al Nejjari. The greater part the Mu tazila adhered to his doctrine. They were subdivided into three divisions (Shahrastani : 61)

6 THE JABARIYA (الجبورية) — This word comes from جبر to compel to force and is so called because they hold that God compels man to act as he does and are consequently the firm opponents of the Qadariya who hold the doctrine of free will (الحرر اسد فعل العبد الى الله). There are various divisions of this sect such as the pure Jabariya (الجبورية الحاصصة) the middle, moderate Jabariya (الجبورية المتوسطة) (Shahrastani : 9 Sale 121 122r)

7 THE MUSHABBIHA (المشبهة or Assimilators) — They allowed a resemblance between God and his creatures, supposing Him to be a body (جسم), composed of members and capable of motion. There are various subdivisions of this sect.

The abovementioned are what the orthodox call the erring sects (العرى الصالة) and of which Muhammad is reported to have said ' they are all in hell (كلهم في النار) ' These all have ceased to exist as distinct sects except the Shi'ah.

8 THE ASH'ARIYA ASH'ARIYA (اشاعرة - الاسعرية) — They are the followers of Abu l Hasan 'Ali Ibn Isma'il al Ash'ari (ابوالحسن علي ابن اسمعيل الاسعري). The men of the orthodox school, the people of the Tradition and Sunna are included in them. They are called the ' Sects which will be saved ' (العرى الناحية), and it is reported that they are the men of whom Muhammad said ' They

are the men who are of my and of my Companions religion (هم الذين علي ما انا عليه واصحابي) They hold none of the heresies (بدع) of the other sects¹

SÚFISM **التصوّف**—From the earliest days of Islám there has existed among the Muslims a kind of mysticism called **تصوّف** Sufism Those who adopted the principles of this system were called **Súfis** **صوفي** (pl **صوفية**) or **متصوّف** (pl **متصوّفة**) There are various opinions as to the derivation of this word Some say it is derived from **صوف** wool because the people adhering to this system are said to have worn the humble dress of wool (Ibn Khaldún i 390) This opinion is rejected by others, because they say that they were not the only people who used to wear wool (لأنهم لم يقتصروا باللبسة), others derive it from **صفاء** purity or, from **σοφία** wisdom Sufism in the days of the early Muslims consisted in spending one's time in pious exercises entirely devoting oneself to the service of God renouncing the pomp and vanities of the world, fleeing pleasures and amusements, despising riches and honours and retiring from the society of men in order to spend one's life in seclusion and acts of devotion Many of the Companions of the Prophet and early Muslims used to lead such a life of abstinence Sufism as it has developed in the course of time is, according to learned Orientalists, mainly borrowed from Indian philosophers of the Vedanta School Its chief doctrines are that the souls of men differ in degree, but not in kind from the Divine Spirit, of which they are emanations,

¹ Mawáqif 633 634 Shahrastání : 65-67 Sale 117 Dictionary of Islám 24 Shahrastání in his Book of the Religious and Philosophical Sects (ملل و نحل) gives a somewhat different list of these various sects

and to which they will ultimately return that the Spirit of God is in all He has made and it is in Him that He alone is perfect love and beauty and that hence love to Him is the only real thing and all besides is mere illusion that this present life is one of separation from the Beloved that the beauties of nature music and art revive in man the divine idea and recall his affections from wandering from God to other objects They, therefore, taught that man must cherish these sublime affections, and by abstraction concentrate his thoughts on God and so approximate to His essence and thus reach the highest state of bliss—absorption into the Eternal They hold that the true end and object of human life is to lose all consciousness of individual existence—to sink in the Ocean of Divine Life as a breaking bubble is merged into the stream on the surface of which it has for a moment risen

Bayázid ul Bastámí said he was a sea without bottom, without beginning and without end that he was the throne of God that he was Abraham, Moses, Jesus He also said 'I am the true God, praise me Towards the close of the second century of the Hijra, al Halláj (حلاج) one of the chiefs of Sūfism taught at Baghdaḍ thus "I am the truth, there is nought in Paradise but God I am He whom I love and He whom I love is I, we are two souls dwelling in one body' This roused the opposition of the orthodox by whom al Halláj was condemned as worthy of death By order of the Khalif he was flogged, tortured and finally beheaded, but Sūfism grew in spite of bitter persecution¹

¹ See Tholuck's Sūfismus, Brown's Darwishes, Palmers' Oriental Mysticism Abdu-r Razzáq's Dictionary of the technical terms of the Sūfis,

The Sults are divided into innumerable sects which find expression in the numerous Orders of Darwishes. Though they differ in name customs, dress meditations and recitations (دُسر) yet they all agree in the principal tenets especially those which inculcate the absolute necessity of blind submission to the Murshid (المُرشد) the leader or instructor or guide.

Some of the chief Orders of Darwishes are

The Bastāmiyya founded by Bayāzid Bastamī A.H. 261 the Qādiriyya founded by Abdu l Qādir Jilānī at Baghdad A.H. 361 the Rūfā'iyya founded by Sayyid Ahmad Rūfā'i at Baghdad A.H. 576 the Shāzaliyya founded by Abul Hisan (Mecca) A.H. 665 the Maulāwiyya founded by Jalalud dīn Rūmī A.H. 672 the Bedāwiyya founded by Abul Jitān Ahmad A.H. 675¹

THE WAHHABI, الوهابية — The founder of this sect was Muhammad Ibn Abdu l Wanhāb (عبد الوهاب) who was born at 'Iyenah in Nejd (A.D. 1691). After having received careful instruction in the doctrines of Islām according to the Hanbali rite and after visiting Mecca, Basra and Baghdad he resided with his father at Hor omelah, but after his father's death he returned to his native village 'Iyenah, where he assumed the position of a religious teacher. He was convinced by what he had observed on his journeys of the laxities and superstitions of the Muslims that they had widely departed from the strict principles of Islām and that a return to the primitive teaching of their religion was required. The use of omens and augurals, the veneration of sacred shrines and the tombs of saints, the

published by Dr Sprenger in Calcutta 1845 Dictionary of Islām 608
Sells Faith of Islām 2nd Edition 100 et seqq

¹ See a very full account in Sells Essays on Islām chapter on Religious Orders of Islām

use of intoxicating drugs the wearing of silk and satin and all sorts of luxury which had found favour in the Muslim world were all opposed to the principles of true religion and Islām must be purged of these idolatrous practices. Abdul Wahhab then determined to become the reformer of this corrupt Islam and to restore it to its early purity in conformity with the teachings of the Qur'an the example of the Prophet and the practice of the Companions and early Muslims. His teaching met with the acceptance of many, but it also raised the enmity of others, especially the ruler of the district, and compelled him to flee to Deraiah where he obtained the protection of Muhammad ibn Saud a chief of considerable influence, who himself embraced Wahhábism, and who, by marrying the daughter of Muhammad ibn Wahháb still further united the interests of his own family with that of the reformer and became the founder of the Wahhábí dynasty, which to this day rules at Ryádh. Abdul Aziz, the son of this marriage after his father's death A.D. 1765 led the Wahhábí army to victory and pushed his conquests to the remotest corners of Arabia, destroying on his way the shrines of saints and every thing he considered unlawful. In 1803 he was murdered by a Persian fanatic but his eldest son, Sa'úd, became the great champion of the reformed doctrines. He conquered Karbala, the famous place of pilgrimage of the Shi'ahs, as well as Mecca, and at both places destroyed every vestige of idolatry. For nine years the Wahhábí rule existed at Mecca and Madína, but after this period they were driven out by the Turkish forces. Upon the death of Sa'úd (A.D. 1814) 'Abdu'lláh became the leader of the Faithful, but met with a series of reverses and at last was taken prisoner by Ibráhim Pasha. He was sent to Constantinople and there executed in

the public square of St Sophia A.D. 1816 Turki the son of Abdillāh fled to Riyadh, where he was assassinated. Faizul succeeded his father in A.D. 1830 and established the Wahhābi rule in Eastern Arabia, making Riyadh the capital of his kingdom. Faizul died in A.D. 1866 and was succeeded by his son Abdullah.

The Wahhābis speak of themselves as the Unitarians (مُوحِدِينَ) and call all other Muslims polytheists (مُشْرِكِينَ). They also reject the decisions of the four orthodox schools and the Ijma' after the death of the Companions of the Prophet.

THE DRUZES — The Druzes are a sect which rose about the beginning of the eleventh century in the mountains of Syria. The founder of the religious system of this sect was the fanatical and cruel Khalīf al Hākīm bi amr illāh of the Fātimite dynasty in Egypt. He affirmed that he was the representative of God and the latest of His manifestations and incarnations. In 407 A.H. (A.D. 1029) this was publicly announced at Cairo and his chief helpers were two Persians Haruza and Darāzi from the latter of whom the sect derives its name. The new revelation was however unfavourably received by the people and Darāzi narrowly escaped being killed by the mob. Retiring to the fastnesses of Mount Lebanon he there began to spread the new faith. The chief tenets of this sect are: Belief in one God, that God has shown Himself at different epochs under a human form, that the last manifestation and incarnation of the Divinity was in

¹ For details on these sects and their peculiar tenets see Burkhardt's *Bedouins and Wahhābis*. Bridges's *Brief History of the Wahhābis*. Palgrave's *Central and Eastern Arabia*. Dictionary of Islam 659 *et seqq*. Sell's *Faith of Islam* 152-164.

Hákim bi amrillah that the latter disappeared in 411 A.H. to try the faith of his disciples but that in a short time he will appear again in full glory to set up his kingdom and triumph over all his enemies.¹

THE BABIS—Although the Babis are not a Muslim sect yet they have arisen on Muslim ground and their opinions are closely connected with the Shi'ahs concerning the Imamate and they share the mystical mode of thought of the Sufis. Thousands of Shi'ahs in Persia have joined the movement and suffered cruel persecutions in consequence. It may therefore be useful to offer a few observations on their origin, development and their peculiar opinions.

Abdül Kasim (Al Mahdi) the twelfth Imám disappeared in the year 329 A.H. but for a period of sixty-nine years he is said to have held intercourse with his followers through a successive number of men, who were called Doors (باب) or mediums of communication.

Abul Hasan the last of these Doors refused to appoint a successor saying that 'God hath a purpose which He will accomplish.' Many centuries passed by and it was not until the beginning of the present one that this curious theory of intermediaries between the concealed Imám and the faithful again took a definite shape.

Shaikh Ahmed (A.D. 1753—1826) the founder of the Shaikhí sect was a devout ascetic. He had a profound belief in 'Alí and was devoted to the memory of the true Imáms, whom he looked upon as creative forces, arguing from the words 'God the best of creators' (Súrah xxiii 14) that, if He be the best, He cannot be the only

¹ For full details refer to DeSacy's *Exposé de la Religion des Druzes*. Wartabet's *Researches into the Religions of Syria* and Bell's *Essays on Islám* chapter 'The Khalif Hákim and the Druzes'.

one The special point of his teaching was that God is immanent in the universe which proceeds from Him and that all the elect of God, the Imáms and just persons are personifications of the divine attributes

Shaikh Ahmad was succeeded by Hájí Seyyed Kázim (A.D. 1843) who left no successor After fastings vigils and prayers for guidance, the Shaikhs began to consider what was to be done in the matter of a spiritual director Mulla Husain proceeded to Shiráz and there met with Mírzá Ali Muhammad who produced before him the sign of his call to the divine mission After a long and severe struggle Mullá Husain became convinced that he had found in the young and ardent enthusiast before him the 'True One the Illuminated One and that he was worthy to be their Murshid Muzá Ali Muhammad was born at Shiráz (1820 A.D.) After having studied meditated and led an austere life till he was about twenty four years of age he announced himself as a duly authorized teacher and guide and assumed the title of the Bab declaring that whosoever wished to approach God must do it through him From being the Bab and mediator he after a time proceeded to pretend that he was the Point or originator of the Truth a divine appearance, a powerful manifestation Notwithstanding the opposition of a number of Mullás, crowds of people, among whom there were learned men also followed him and became his disciples Later on an examination took place after which he was kept in confinement The most zealous at the time was Quratul 'Ayn, a most beautiful, intelligent and eloquent woman, who travelled about everywhere and made converts to Babism In 1848 Nasr u d dín, the Shah of Persia, severely persecuted the Bábís and put the Báb himself to death A Persian author says of the Báb ' He spoke with

much earnestness on the necessity of religious and social reform in Persia we neither consider him an adventurer nor a fanatic but an eminently moral man a dreamer brought up in the school of the Shaikhs and possessing some touch of Christianity We regard him also as a man troubled by the direct influence of some of his devoted and ambitious disciples' In 1852 an attempt was made by some Bábís to assassinate the Shah and the consequence was bitter persecution of the sect The most awful persecutions however gave only fresh vigour and vitality to the movement It is said that half a million of Persians are Bábís others consider their number nearer to one million They are to be found in every walk of life from the ministers and nobles of the Court to the scavenger or groom

After the death of the Báb Mirzá Yahyá and his half brother Beha-ulláh became the leaders of the two sects into which the Babís are now divided the Ezelis and the Behais There seems to be no doubt that the Báb nominated (1849) the former whom he named Subh-i-Ezel (Morning of Eternity), as his successor and for a short time he really held the undisputed position as head of the Bábí community

The Persian government, at last, prevailed on the Turkish authorities (1863-1864) to deport the two heads of the Bábí sect to Constantinople The influence of Behá gradually increased, till he at last claimed to be the person to whom the Báb had referred as "Him whom God shall manifest The two leaders were ultimately separated Behá and his followers were exiled to Akka Mirzá was sent to Famagusta in Cyprus

The Bábí doctrines are to be found in the writings of the Báb called the Beyán Many of the dogmas are very mystical, but the following is a brief summary God is eternal and unapproachable All things come

from Him and exist by Him. Man can approach him except through some appointed messenger. So distinct from God there is a Primal Will who became incarnate in the prophets. The Bab came to perfect the Law of Christ. Some say that 'he' in Christ returned again on earth. The Primal Will which spoke in Adam, Noah, Moses, David, Jesus and Muhammad, now speaks through the Bab and Him whom God shall manifest and after him through others for there is no cessation of the divine manifestation. The Jews were told to expect the Messiah but they rejected him, the Christians were to expect Muhammad, but they did not accept him, the Muhammadans are taught to look out for the Imám Mahdí, now he has come in the Báb, they persecute him. Bábism is now a dispensation which has superseded Islám. The great Teacher is one but he manifests himself in different dispensations according to the needs and the capacity of those to whom the dispensation comes.

A good many changes were introduced in the Muslim ceremonies. Prayers are said three times a day, instead of five, the worshipper does not turn towards Mecca as his Qibla, the fast of Ramadán is not kept, the traffic in slaves is forbidden, the holy war is abolished and friendly intercourse with all sects is enjoined. Bábism is thus a revolt against orthodox Islám.

¹ Sell's *Essays on Islám* pp 46-98. See also *New History of the Báb* by E. G. Browne p 299 et seqq.

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